THE WILMINGTON JOURNAL.

ENGELHARD & PRICE, Proprietors,

To whom all Letters on Business must be addressed.

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Wilmington Journal.

VOL. 22. WILMINGTON, N. C., FRIDAY MORNING, FEBUARY 1, 1867. NO. 52.

TERMS OF ADVERTISING.

1 square, of 10 lines or less, for each and every insertion, $1.

Special Notices will be charged $2 00 per square for each and every insertion.

All Obituaries and private publications of every character, are charged as advertisements.

☞ No advertisement, reflecting upon private character, can, under ANY CIRCUMSTANCES, be admitted.

METHODIST EPISCOPAL CHURCH SOUTH.

Appointments—Wilmington District—First Round.

Smithville and Brunswick, at Bethel, Dec. 15 & 16.
Wilmington—Fifth Street, " 22 & 23.
Whiteville, at Whiteville, " 29 & 30.
Topsail, at Union, Jan. 5 & 6.
Elizabeth, at Elizabethtown, " 12 & 13.
Wilmington—Front Street, " 19 & 20.
Onslow, at Richlands, " 26 & 27.
Jacksburg, at Bethany, Feb. 2 & 3.
Clinton, at McGee's, " 16 & 17.
Duplin, at Magnolia, " 23 & 24.
Bladen, at Centre, March 2 & 3.

The District Stewards' meeting will be held at the Parsonage, in Wilmington, January 19th, 1867, at 9 o'clock, A. M. The District Stewards are, W. H. Drew, Samuel W. Smith, W. A. Savage, W. J. Parker, T. L. Pugh, Rev. Levi Culbreth, D. S. Sanders, E. H. Costin, D. W. Carr, Dr. W. E. Freeman and W. S. G. Andrews.

A full attendance is earnestly desired.

L. S. BURKHEAD, P. E.

S. T.--1860--X.

PERSONS OF SEDENTARY HABITS TROUbled with weakness, lassitude, palpitation of the heart, lack of appetite, distress after eating, torpid liver, constipation, &c., deserve to suffer if they will not try the celebrated

PLANTATION BITTERS,

which are now recommended by the highest medical authorities and warranted to produce an *immediate* beneficial effect. They are exceedingly agreeable, perfectly pure, and must supercede all other tonics where a healthy, gentle stimulant is required.

They purify, strengthen and invigorate.
They create a healthy appetite.
They are an antidote to change of water and diet.
They overcome effects of dissipation and late hours.
They strengthen the system and enliven the mind.
They prevent miasmatic and intermittent fever.
They purify the breath and acidity of the stomach.
They cure Dyspepsia and Constipation.
They cure Diarrhœa and Cholera Morbus.
They cure Liver Complaint and Nervous Headache.
They make the weak strong, the languid brilliant, and are exhausted nature's great restorer.

They are composed of the celebrated Calisaya bark, wintergreen, sassafras, roots and herbs, all preserved in perfectly pure St. Croix rum. For particulars see circulars and testimonials around each bottle.

Beware of impostors. Examine every bottle. See that it has an unmutilated metal cap over the top of each bottle, and green label for exportation, round each neck. See descriptive circular around each bottle.

P. H. DRAKE & CO.,
New York.

April 19 12-1y

State of North Carolina, Sampson County.

Court of Pleas and Quarter Sessions, November Term, 1866.

Johnson, Chesnutt & Co., vs. John D. Bryan. } Original Attachment, Levy on Land.

IT APPEARING to the satisfaction of the Court that John D. Bryan, the defendant in this attachment, is an inhabitant of another State, so that the ordinary process of law cannot be served upon him. It is therefore ordered that advertisement be made in some newspaper, for the space of six weeks, notifying the said defendant to come forward, plead, answer or demur, or judgment, *pro confesso*, will be entered against him, and the land sold to satisfy the plaintiff's demand. A true copy from the minutes.

W. A. MATHIS,
Clerk of County Court.

Dec. 28 [prv. adv., $15] 47-6w

State of North Carolina, Sampson County.

Court of Pleas and Quarter Sessions, November Term, 1866.

John Ashford, vs. John D. Bryan. } Original Attachment—Levy on Land.

IT APPEARING to the satisfaction of the Court that John D. Bryan, the defendant in this attachment, is an inhabitant of another State, so that the ordinary process of law cannot be served upon him. It is therefore ordered that advertisement be made in some newspaper, for the space of six weeks, notifying the said defendant to come forward, plead, answer or demur, or judgment, *pro confesso*, will be entered against him, and the property sold to satisfy the plaintiff's demand. A true copy from the minutes.

W. A. MATHIS,
Clerk of County Court.

Dec. 28 [prv. adv., $15] 47-6w

State of North Carolina, Sampson County.

Court of Pleas and Quarter Sessions, November Term, 1866.

Joseph Stewart, vs. W. W. Dudley. } Original Attachment, Levy on Personal Property,

IT APPEARING to the satisfaction of the Court that W. W. Dudley, the defendant in this attachment, so absconds or conceals himself that the ordinary process of law cannot be served upon him. It is therefore ordered that advertisement be made in some newspaper, for the space of six weeks, notifying the said defendant to come forward, plead, answer or demur, or judgment *pro confesso*, will be entered against him, and the property sold to satisfy the plaintiff's demand. A true copy from the minutes.

W. A. MATHIS,
Clerk of County Court.

Dec. 28 [prv. adv., $15] 47-6w

State of North Carolina, Sampson County.

Court of Pleas and Quarter Sessions, November Term, 1866.

James Moore, vs. W. W. Dudley. } Original Attachment, Levy on Personal Property

IT APPEARING to the satisfaction of the Court that W. W. Dudley, the defendant in this attachment, so absconds or conceals himself that the ordinary process of law cannot be served upon him. It is therefore ordered that advertisement be made in some newspaper, for the space of six weeks, notifying the said defendant to come forward, plead, answer or demur, or judgment, *pro confesso*, will be entered against him, and the property sold to satisfy the plaintiff's demand. A true copy from the minutes.

W. A. MATHIS,
Clerk of County Court.

Dec. 28 [prv. adv. $15-] 47-6w

STATE OF NORTH CAROLINA.

ONSLOW COUNTY.

Court of Pleas and Quarter Sessions, December Term, 1866.

Wm. R. King, Admr. of Mary Everett, (a Lunatic) vs. Non-residents and presumptive Heirs of Mary Everett. } Petition for sale of Real Estate.

ON MOTION, IT IS ORDERED BY THE Court, that publication be made for six weeks in the Wilmington Journal, a newspaper published in the City of Wilmington, for the defendants to appear at the Court House in Jacksonville, on the first Monday of March, 1867, to plead, answer or demur to this petition or the same will be taken *pro confesso* and heard accordingly.

Teste, A. J. JOHNSTON, C. C. C.
Jacksonville, Dec. 27th, 1866.

jan. 12. [prv adv. $15] 49-6w

BENNETT, VANPELT & CO.,

23 WHITEHALL STREET, NEW YORK.

SHIPMENTS OF COTTON, NAVAL STORES, Provisions, &c., will be forwarded to us by Messrs. Wallace & Southerland, of Wilmington, who will pay revenue tax and other charges. All goods covered by insurance, with or without advices.

Feb. 15 2-tf

VALUABLE LAND FOR SALE.

THE Subscriber offers his Plantation situated on Topsail Sound for sale. It contains 365 acres, adapted to Pea nuts, Corn and Potatoes, and is 24 miles from Wilmington. Has a new dwelling, and all necessary out houses. Persons wishing to purchase a desirable Farm will please give him a call.

S. A. HOWARD.

jan. 10 49—w4t*

From the Dublin Irishman.

KATY'S STORY.

Mary shed no tears—she was past that; when the head goes wrong no tear can come. Sitting down on the bank, she took the drowned child on her knee; with her own hands she closed the glazing eye, and stroked the yellow hair. There were some flowers in the dead grip of its hand, but Mary let them remain there. Rocking the child backward and forward in her arms, she began to sing, maybe she thought she was putting it to sleep:

Hush, baby, hush—the stream runs bright—
Oh! father—mother—come,
And take the wanderer back again,
She longs to be at home.
The wounded bird would fold her wing
Within the parent nest,
The heart is broken, crushed and sore,
And fain would be at rest.

The flowers I loved and tended once
Are fading one by one,
When the chilling frosts of winter come,
They'll all be dead and gone,
But the blossom that you loved so well,
Your own poor stricken flower,
Must linger on and bear the frost
Of winter's darkest hour.

You'll not cast up to me, father,
The step that I went wrong—
There's many a one has slipped as sore,
That thought themselves full strong.
You will not turn aside, father,
Nor slight my dying prayer—
There's another door stands wide for me,
That I may enter there!

I have a home above the stars,
Where sorrow cannot dwell;
To One who binds the broken heart,
My woeful tale I'll tell.
The scornful hand may cast the stone,
The bitter tongue may blame,
There's One who waits to let me in
In spite of sin and shame?

The next morning when they came to take her home, she and her child were lying by the side of the stream. She had gone to that home where neither cold nor hunger, shame nor sorrow, could ever light on her more!

IDLE.

BY ALICE CARY.

I heard the gay spring coming,
I saw the clover blooming,
Red and white along the meadows—
Red and white along the streams;
I heard the blue-bird singing,
I saw the green grass springing,
All as I lay a-dreaming,
A-dreaming idle dreams.

I heard the plowman's whistle,
I saw the rough burr thistle
In the sharp teeth of the harrow—
I saw the Summer's yellow gleams
In the walnuts, in the fennel,
In the mulleins, lined with flannel,
All as I lay a-dreaming,
A-dreaming idle dreams.

I felt the warm bright weather;
Saw the harvest—saw them gather
Corn and millet, wheat and apples—
Saw the gray beans with their seams
Pressing wide, the bare-armed shearers,
The ruddy water-bearers,
All as I lay a-dreaming,
A-dreaming idle dreams.

The blue bird and her nestling,
Flew away; the leaves fell rustling,
The cold rain killed the roses,
The sun withdrew his beams;
No creature cared about me,
The world could do without me,
All as I lay a-dreaming,
A-dreaming idle dreams.

STATE NEWS.

A Thespian Club is in course of formation in Raleigh.

DEAD.—The negro boy who was run over by the Wilmington train in this place, a few days since—the fact of which we before mentioned, has since died. From information deemed reliable, this was his second attempt to obtain a free passage from Wilmington to Goldsboro', by riding under the coaches. Before dying he said he was originally from Georgia. After death it was discovered that he had been wounded about the breast, apparently several weeks since, by a stab from a knife or dirk. We have no doubt but that he was a bad boy.

Goldsboro' News, 23d.

On Monday last, Robert Wainright, a negro man in the employ of Col. Zollicoffer, about three miles from this place, was killed by a tree falling on him.—*Weldon State.*

The Roanoake, on Monday, was blocked with ice up to the bridge.

We are much pleased to learn, from the Norfolk *Virginian*, that our young townsman, Mr. James M. Allen, whose commendable conduct in the warehouse robbery affair our readers will recollect, is to be presented with an elegant hunting case gold watch by the different railroad companies whose property he preserved. The watch cost $150, and has engraved upon the inner case: Presented to James M. Allen, for faithful services, by the Seaboard & Roanoke, Wilmington & Weldon, and Petersburg & Weldon Railroad companies, January 11th, 1867.—*Weldon State.*

The Charlotte *Times* suggests the name of Joseph H. Wilson, Esq., of Mecklenburg county, for the Speakership of the Senate to fill the place at present occupied by Judge Manly, upon the latter's resignation, which will probably take place shortly.

THE PIG MASTADON.—We saw, last night, the largest dressed hog, we presume, that has been brought to market this season, and one that excited a vast deal of wonderment. A freedman, Bill Badger, in this county, raised this poker, whose weight was 581 pounds. This is tolerably sizeable, and perhaps no other county in North Carolina can beat it.—*Raleigh Progress.*

ROCK ISLAND FACTORY.—We had a call to-day, from Mr. Wriston, one of the active operators of the Rock Island Factory, at Charlotte, and we are pleased to learn that the Factory is doing well. The Cassimeres, Jeans and Flannels made at this Factory are of the best quality, and very superior in durability to those made at the North.—Our Southern merchants should give them general circulation.—*Raleigh Sentinel.*

ANOTHER HERO BROUGHT HOME.—The remains of Capt. Wm. T. Marsh passed through our place on Tuesday, accompanied by his brother Maj. Ed. S. Marsh.

Capt. M. was wounded at the battle of Antietam, on the 17th Sept. 1863, while in command of his Co., "I" 4th N. C., and died eight days after from its effects.

It will be a melancholy satisfaction to his friends to learn that he now sleeps his last sleep peacefully in the family burial ground in Bath. Another martyr to our "Lost Cause."—*Turboro' Southerner.*

IMPORTANT TO FARMERS.—The Western Railroad has, to encourage the application of fertilizers as much as possible, put down the freight on Lime, when it is transported in lots of 10 casks or more, and strictly for agricultural purposes, to half price—or 25 cents per cask. It is required that the receipts specify that it is intended for that use.—*Fay. News, 22d inst.*

HENRY E. ORR, Esq., has again taken charge of the editorial department of the *Progress.*

BURNED TO DEATH.—A distressing accident occurred in this vicinity on Thursday, An old woman named Betts, while sleeping in her bed, was burned to death. It is supposed that she lay down with a pipe in her mouth; the fire caught the bedding and caused the accident.

Fayetteville News, 23d inst.

DARING ROBBERY.—The residence of Mr. Overbaugh, on Person street, was entered on Sunday night by a very expert rogue or rogues, and quite a considerable sum of money was abstracted from the sleeping-room of Mr. Overbaugh. There is a degree of boldness and coolness about this robbing that is above the "common run" of theft, and which indicates that some rascal is reducing stealing to a science.

Fayetteville News, 23d inst.

A MAN KILLED BY A MULE.—A few days since, Mr. Jos. Sory, living near the line of Edgecombe and Martin, lost his life under peculiar circumstances. He went into his stable to feed or attend to his mule, and some time after was found there perfectly dead. The only indication of the manner of his death, consisted in a mark upon the breast, supposed to have been caused by the feet of the vicious brute. It is the only interpretation of the affair and we presume it is the correct one.

Tarboro' Southerner. 24th.

MISS M. A. BUIE.—The name of this lady is familiar to the readers of the N. C. and S. C. papers, during the war. She devoted herself most assiduously to the condition of the sick and wounded soldiers, going from place to place as an angel of mercy. Since the war, she has devoted herself to the one object, of raising funds to establish schools in South and North Carolina for the orphans of deceased soldiers. She has established one at Columbia, S. C., and the papers announced some time ago, that Col. Wm. Johnston, of Charlotte, had donated to her an eligible position for the establishment of a school in or near that city.—*Ral. Sentinel, 24th.*

MUNICIPAL.—The new Board of Commissioners was organized last evening, and the new Mayor, W. D. Haywood, Esq., and officers sworn in. R. H. Battle, Esq., was elected City Treasurer, K. P. Battle, Esq., City Attorney, J. J. Christophers, Esq., Clerk, John Thompson, Chief of Police and Ed. E. Harris, Assistant. The former city watch was re-appointed.

Raleigh Sentinel, 25th inst.

THE ALBEMARLE AND CHESAPEAKE CANAL.—This great artery of commerce is now again clear of ice. Boats came down on Monday night, and others went through yesterday morning.—*Norfolk Journal.*

Inquest on the Burning of Kingstree (S. C.) Jail—Arrest of the Sheriff and Jailors.

At a jury of inquest summoned to inquire into the cause and circumstances of the burning of the jail, the following verdict was rendered after four day's investigation:

That the twenty-two colored persons confined in the jail of Kingstree came to their deaths by the burning of said jail, wherein they were all consumed, except the portions of three bodies inspected by the jury. They further found that the fire originated between the ceiling overhead of the second floor of the third story; that it was communicated by some of the prisoners confined in the jail, but whether communicated by accident or design the jury are unable to agree upon any conclusion.—They also stated that had the jailor been in his proper place at the jail, and with the keys in his possession, when the jail was first discovered to be on fire, and when the alarm had first been given, the three women and perhaps more of the prisoners, could have been saved, and that for his neglect and direliction of duty the sheriff and jailor are censurable.

Lieutenant Ross, commanding the garrison at this place, acting under instructions from General Scott, of the freedmen's bureau, arrested Sheriff Matthews, James P. Barrineau, and J. S. Beck, on yesterday, and sent them to Charleston this morning. This arrest was made in consequence of their being in charge of the jail which was recently destroyed by fire at this place.

These officers were arrested while in discharge of their duty on the District Court.

Kingstree Star.

Radical Sense for Once.

The *Union Register*, at Greensboro', though it is intensely Radical, has an air of sincerity not common in its ranks. We find the following sensible remarks in regard to the course of the Southern people upon the Howard amendment:

"We, of course, advocate the principles of the amendment, 'only more so;' but the members of the Southern Legislatures would have been something less than men, had they adopted it. It is very much like asking a man who is to be hung to adjust the noose himself to save the hangman the trouble. We cannot see anything so strikingly 'noble' in the course of the Southern Legislatures in rejecting it, but it was natural and sensible, and we can't blame them for it. In fact, they would have branded themselves as the veriest fools extant, if they had done otherwise. They very properly refused to be culprit and hangman both, and at the same time. We never expected them to do otherwise, and can't see how any sensible man could."

Credit of the State.

The resolutions of Mr. Cowan, of New Hanover, offered previously to the recess, look earnestly and properly to sustaining and improving the credit of the State. Whatever the mad spirit of revolution may do with the political interests of the Southern States, it should be the care and pride of every North Carolinian, to maintain, untarnished, the reputation and credit of his State. The propositions of Col. Cowan seem to us to meet the case, of which our legislators, who ought to know well the condition of our people, will be the best judges.

It will be seen that Mr. Berry, of Orange, introduced into the Senate, to-day a bill relating to the same subject. Its provisions we have not yet examined, but we shall be ready to promote any scheme which looks to the maintenance of the character and integrity of the State, both at home and abroad.—*Sentinel 23d.*

The Memorials.

The memorials in circulation in this State, gotten up under the auspices of Mr. Holden, we learn, are presented to white and colored, for signatures, upon various pleas. A very forcible plea, which has been urged upon ignorant men, is that the signers of that petition will not be liable to the confiscation of their lands. Appeals thus made to their fears are inducing some to sign, who are decidedly opposed to the whole scheme. Hundreds have been induced to sign, who are totally ignorant of the design.—*Raleigh Sentinel 23d.*

If you are going up for the Civil Service examination, which ought you to mind most, your p's or your q's? Your p's, because p will make any ass p-ass.

SPEECH

OF

MR. MOSES, of Georgia,

In the Legislature of that State on the Bill to Appropriate Money for the Burial of the Confederate Dead.

MR. SPEAKER:—My appeal is not alone in behalf of the noble dead! The living, and the unborn future, who will control the destines of Georgia, are the peculiar objects of my solicitude! Preserve this record of the past that it may become as "household words" to the immigration which you are inviting to your shores.—With Time, the passions engendered by our recent struggle will pass away, and posterity will recognize the great fact that all America, except the Radicals, was engaged in a common struggle for the perpetuation of constitutional liberty. The valor of each section will redound to the glory of both.

The contending armies were animated by the same sentiment; they marched upon diverging roads, but each sought the same goal. Gather the ashes of your dead; bend all your efforts to the restoration of the Union, and when we are once more thoroughly united, America, the great exemplar of well regulated liberty, will applaud the humble tribute which you this day offer to your hero dust. No State can be truly great that does not do honor to its noble dead.

You may with lavish hands aid internal improvement until your State shall be covered with a network of railroads. You may penetrate your mineral regions, until the disemboweled earth shall pour forth the rich treasures which lay there, hidden for untold centuries. You may cultivate your soil to the highest power of agricultural science, until your rich fields shall be laden with their luxuriant crops. You may build a factory upon every inland stream, until the music of the spindle and the loom shall join in one choral song with the glad waters as they leap from point to point through their rock-embedded channels. Your commerce may whiten every sea. Immigration, invited by avarice and adventure, may cover your valleys and your hill sides with a teeming, busy, and successful population. Your treasury may become over-burdened with its rich revenues, but your State will never be truly great, unless you cultivate, foster, and encourage the sublime spirit of patriotism; and this can never be done successfully, while the history of the Confederate war, written on the neglected names of the unburied dead, proclaims the State's ingratitude.

You must remember, Georgians, that you will be but as a drop of water in the stream of immigration which, in time, will flow to your shores, and unless you preserve your individuality by a constant and proud recurrence to the early history of your State, instead of impressing the Georgia character upon the inflowing tide of population, your individuality will be lost in the European flood, and Georgia, in the hour of her most boundless prosperity, will not be the noble old State, which now, amidst the surrounding desolation, when asked for her jewels, can point to her sons.

I am led to these reflections by an incident which occurred to me on Sunday last. While the church bells were ringing, I strayed to the Milledgeville cemetery to visit the grave of General Doles. As I entered the gate, I was attracted by a neat and somewhat expensive obelisk, before which stood youths dressed in Confederate gray. I walked towards it, curious to see what inscription patriotism had placed above the gallant leader of the Fourth Georgia. I found that it had been raised above the grave of a wealthy and successful planter. Saddened and disappointed, I read the inscription and found that it taught this useful lesson: "Be rigid and just, firm of purpose, energetic in execution, and success will crown your efforts." Let the rising generation ponder upon its teachings, and it will nerve the young, as it now does me, to persevere in this object.

Turning from the spot, I sought in vain the tomb of General Doles. Seeing a gravedigger busy in his vocation preparing for some in-coming tenant of the tomb, I asked him to point me to the grave. He led me to a plain, unlettered slab; no monument reared its pointed spire. But the worship of the heart was there; a wreath of half-blown roses was freshly laid upon the grave—placed there, doubtless, by a woman's hand, and watered with her tears.—As I cast my eyes from this unmarked spot, to the imposing obelisk whose base I had surveyed, I was attracted by a brave old oak, its rich autumnal foliage reflected by the rays of the morning sun, tinting it with a halo of light, forming a background, and throwing out, in bold relief, a chaste and beautiful figure of Hope, which rested on the apex of the monument; her eyes upturned, the right hand raised and pointing heavenward. I gazed upon it some minutes; then, turning to the humble grave beside me, I mentally exclaimed, the heroe's reward is written there; and as "hope springs eternal in the human breast," so did it in mine, that earth would soon recognize the sacrifice, and build a monument to commemorate his deeds. I went to draw an inspiration from the dead, that I might breathe it to the living as I do here and now.

Let the history of Georgia be written in her monuments, so that all who tread upon her soil may learn to love her; cultivate the spirit of patriotism, lest with accruing wealth her greatness pass away.

This bill, Representatives, is a step in that direction. Woman makes the appeal. It is the first time that the grave has sent its messenger to ask a tribute for the dead, and when she comes, for what is the petition presented? Not for monumental marble, expensive columns, or rich cenotaphs, She only asks for the dead, a little spot of earth—a part of the "land they died for, but could not save"—a place in its bosom to rest, that their bones may not lie unburied on the fields made classic by their daring.

You all know that after the battles of Chickamauga, Missionary Ridge and Resaca, the fields were covered with the bleeding witnesses of Southern valor. Some lay stiff and stark and cold. *They* had passed at once from life to death. Some were gasping away life's last, feverish breath; some lay in agony! their flesh quivering and torn. Among all, gentlewoman was passing, assisting in the removal of those from whom life had not already fled. As one by one they died, far away from home and friends, they were so hastily and imperfectly buried that the winter floods exposed their bodies, and their bones lay literally bleaching in the sun—neglected, but not forgotten! Necessity drove man into the active pursuits of life; but the noble women of Resaca and its neighborhood, by voluntary subscriptions, raised a part of the means necessary for their burial. The fallen of Resaca have been partially removed; the soldiers of the different States, grouped together, lay side by side in their eternal slumber; "the unknown," who form the largest portion, are buried to themselves. Two acres of the battlefield have been enclosed, and it is now consecrated ground.

When the pilgrim shall wander there to drop the tribute of a tear, from that "bivouac of the dead" these mottoes speak to the living,

"Georgia welcomes to her bosom the fallen sons of her sister States"

And over the Georgia mound:

"They sleep beneath their native sky."

While Georgia thus does honor to *her* dead, Sheridan, in Louisiana, bids the tear to cease to flow, the heart to cease to beat, and seeks to crush the spirit of patriotism by an *order* prohibiting the erection of monuments or weaving of garlands for the Confederate dead. I would curse him where I stand, were he not answered from Louisiana's grave with the word "exiled"—the most mournful that man may utter or man may hear. This voice from the dead renders impotent anathema from the living.—With this I will leave him to posterity's verdict.

Miss Mary A. Green, who, with a modesty equalled only by the tender sympathy and sublime patriotism which has enabled her to do so much, asks you for $500 to pay off the indebtedness of the Resaca Association.

I have introduced this more enlarged bill to inaugurate a movement for the burial of the dead of Chickamauga, Missionary Ridge and other battle-fields.

The appropriation is small; I do not wish it large enough to tempt the avarice of the speculator. The ladies have commenced this noble work, and they will expend the means entrusted to them with scrupulous economy. Begin your appropriations, and leave the Confederate dead in charge of the women of the South.

Hereafter, when Constitutional liberty is restored, and our treasury less embarrassed, Georgia can build monuments to those who died in her defense.

[Mr. Moses had a very beautiful letter (written by Miss Green) read to the House, describing the mottoes and decorations of the Resaca Cemetery, on dedication day. This was a private letter, but very eloquent and touching.] He said:

"I have had that letter read because I felt that it touches responsive chords. I wished that you should know the pleasure felt by me in its perusal. I desired, with its beautiful and graphic description, to translate you to the sacred spot, that you might tread with me its winding walks—survey its decorated graves—pause before its pathetic and eloquent inscriptions—mingle with the sympathetic throng of visitors—listen to the benedictions, and join in the heartfelt responsive amen.

This done, let us do honor to the noble women who, like angles of the Lord, passed over the blood-stained battle-fields and made the dry bones of our heroic dead eloquent with their touch! The events of that day of dedication faded not with the passing hour; they will form one of history's most enduring pages. It was not earth alone that witnessed it. The spirits of the mighty dead were there; and high above all, on that day, the Genius of Liberty, poised in air, opened the tablets of immortal fame, and beneath the names which have made our country great, inscribed these words: "THE UNKNOWN CONFEDERATE DEAD." And there they will stand forever. Gathered in this sacred spot by the noble women of the South, they will live when you and I, and all who now participate in the active scenes of life, shall be gathered to the dust, "unhonored and unsung."

Yea! their memories will be fresh and green, when the galaxy of beauty, which now surveys this scene* (fit representatives of the sublime sentiment which animates the women of the South) shall have put on corruption.

When naught shall be left of all which is now so fair to look upon but the blessed spirit of which they are the bright examplars and beautiful embodiment, "The Unknown Confederate Dead" will *live*, an inspiration and a hope!

*The gallery of the House of Representatives was crowded with ladies.

"Too Bad."

The Mobile *Tribune* has changed hands. The editor, in retiring, winds up with this pathetic sentence. We pity him from the bottom of our heart, and hope that he will console himself in the reflection that in this world of sorrow and misfortune editors have their trials and grievances as well as other people:

"But I must drop a tear over my baby, the *Tribune*, which is now in the hands of others. I drop that tear, and part with those whom I love, with so much pain that, while writing this, the paper is wet with the water that falls from my eyes. I know very well that this is folly, but who has no folly?"

The Confederate Dead.

An association of ladies has been formed in Memphis for the purpose of raising funds to erect at Memphis, or some designated spot a magnificent church edifice to the memory of the fallen Confederate dead, whose columns and mural tablets shall be inscribed with the names of all such which may be furnished by auxiliary societies throughout the Southern States. The names of the following ladies are on the list of honorary members: Mrs. Jefferson Davis, Mrs. Robert E. Lee, Mrs. Frank P. Blair, Mrs. N. B. Forrest, Mrs. L. M. Keitt, Mrs. Andrew Johnson, Miss Augustus Evans, Mrs. A. Longstreet and others.

A Great Scheme.

A project for supplying London with water from the lake district was recently discussed in a paper read before the Inventors Institute in London. The plan is to take water from the meres of Cumberland and Westmoreland—Ulleswater in chief—and to bring it by aqueduct, culvert and tunnel to a great reservoir near Harrow. The estimated supply is two hundred and fifty million gallons daily, more than four times as much as the metropolis now uses. But London grows.

Two Women Murdered.

An awful tragedy was recently enacted in Auburn, Main. Two old ladies, named Kingsley and Caswell, respectively sixty and seventy years of age, were found murdered in their own house, about two miles from town, at a place called Young's Corner, It is supposed that the deed was committed either on Wednesday or Thursday night, during the storm. The two ladies lived alone in the house. A man by the name of Johnson has been arrested on suspicion and is now in Auburn jail.

Deceased.

Judge Perkins, of Columbus, Mississippi, died recently, in the eighty-sixth year of his age. He was liberal in all his contributions to charities. He gave not less than $80,000, of which sum he placed $60,000 in the hands of the directors of the Theological Seminary at Columbia, South Carolina.

No wonder Chicago builds fine edifices if she is able so to contrive as to make other cities pay the bills, as alleged by the Chicago *Times* in the following:

"If anybody ever raised so much as five dollars in Chicago to build a railroad or a canal, the fact has not transpired; and the individual who contributed the amount is keeping it quiet lest he excite the derision of his acquaintances. There are churches in this city which never cost a dollar of Chicago money. The same is true of railroads."

The Trial of Surratt.

A Washington letter writer says the grand jury have now before them the indictment against John H. Surratt. On Saturday the testimony of Mr. John M. Loyd, the keeper of the tavern at Surrattsville, was taken, as was also that of other witnesses. The arrival of Surratt is looked for between this and the end of the month. No information has been received at the Navy Department with reference to the movements of the United States Steamer Swatara since the late cable dispatch of Rear Admiral Goldsborough, announcing her departure from Alexandria, with Surratt on board.

Cattle, Sheep and Pigs in Great Britain.

It appears from the Parliamentary returns lately issued that in Great Britain, on the 25th of March last, the total number of cattle returned by the occupiers of land, and estimated by collecting officers, was 3,785,836; the number of sheep returned and estimated at 32,048,231: the number of pigs, 2,447,619.

Death of Alexander Smith, the Poet.

The English papers by the late steamers announce the death of Alexander Smith, author of the "Life Drama," "City Poems," Alfred Hagart's Household," and other books. For some time back Mr. Smith's health, never very robust, had been gradually failing, and he died on Saturday, January 5th, near Edingburg.

Houses and Buildings in Paris.

Three thousand six hundred and fourteen new houses have been erected in Paris between October 1, 1865, and September 30, 1866, which is 263 more than was erected the preceding year. No less than 2,256 houses have been pulled down within the same period—967 by order of the State, and 1,289 by the voluntary action of their owners—It is calculated that a gain of at least 3,796 additional lodgings is the result.

A Great Army in Russia.

The recruiting which is to take place in Russia from the 27th of January to the 27th of February, at the rate of four conscripts per 1,000 inhabitants, and five per 1,000 in certain districts, will produce 850,000 men. The Russian army at present numbers 800,000 men under arms, add to which the 850,000 produced by the new levy, and the round number is 1,650,000 men.

Good Income for a Dull Year.

The Government has derived over $175,000,000 from Internal Revenue in the six months and a half which have elapsed since the commencement of the current fiscal year, July 1, 1866. This gives an everage week revenue from excises alone of nearly $6,300,000 or equal to a yearly aggregate of about $328,000,000 against the estimate of $285,000,000 for the year, made by Commissioner Rolling in his annual report.

Death of N. P. Willis.

Nat. P. Willis, the poet and essayist, died on Sunday last, his sixtieth birthday, at Idlewild, his residence, on the Hudson river, where he has for some years lived in retirement, the victim of consumption, which was the cause of his death.

West Virginia Test-Oath.

On the 17th inst., the Court of Appeals of West Virginia decided that the law requiring attorneys at law to take an oath that they had not participated in the rebellion was constitutional, and overruled the application of ex-Lieutenant Governor Price and other attorneys to be admitted to that bar without taking the test-oath. An appeal is to be taken from that decision to the Supreme Court of the United States.

A thoughtless young mother of fifteen years, residing in Los Angelos, placed her infant child, six months old, on the back of a colt without bridle or halter, and tied the legs of the infant under the belly of the colt, *a la* Mazeppa, so that it could not fall off, and lettiug go the colt, it took fright and ran off into the underbrush with the infant, tearing its flesh and breaking its bones, until life was extinct and nothing remained of the poor child but a shapeless mass of flesh.

The New Orleans *Times* (Montgomery special) says that the Supreme Court of Alabama has decided the act of Congress requiring a stamp upon State legal process to be unconstitutional. Chief Justice Walker also decides that Alabama, being *de facto* a government under the Confederacy, its personal representatives are protected from all loss in Confederate investment under an act of the Legislature. The court was unanimous.

It was stated at St. Petersburg that France and Russia had concluded a convention relative to the restoration of the chapels in the Church of the Holy Sepulchre, at Jerusalem. The French and Russian representatives in Jerusalem demand that the houses built on the terraces of the church shall be pulled down.

The Lynchburg Republican, in an article on the Stay Law, says that Judge Meredith's decision may be effected by the fact of his appointment by an unconstitutional Governor.

The Centre Church at Hartford, Connecticut, is now two hundred and thirty years old, it having been organized in 1636.

According to a French work the next deluge is due in about six thousand years from this date.

Petitions are circulated in Philadelphia to have the use of salt on street railway tracks prevented. Diptheria is alleged to result from it.

The New York "Post" says it requires an income of nearly $10,000 to live comfortably in New York.

Mr. J. S. Clarke has withdrawn from the joint proprietorship of the Winter Garden, N. Y.

Pineapples were introduced in England during the protectorate of Oliver Cromwell.

On the 17th instant, the ginnery of H. M. Suart, at Beaufort, S. C., was destroyed by fire. Loss, $10,000; insurance, $5,000.

The newest dance is called the "Kiss Cotillion.' It is said to be popular where introduced.

Five murderers in the Effingham county Ill., jail, waiting to be hanged, became impatient and left.

An Illinois editor thinks Theodore Tilton must have to climb a ladder to comb his hair.

Jenkins, describing a ball, speaks of "olfactories feted with perfumed and languid joy."

Two anglers recently caught seventy-five pounds of pickerel through an ice hole in Saratoga Lake.

Dr. W. W. Hammer, of Lynchburg, was struck with paralysis last Sunday, and all his left side completely paralyzed.

A young man can sleigh a young woman now-a-days and not be arrested.

Flour is cheaper in Colorado than it is in New York.

There are only one hundred and twenty-seven voters in Honduras.

Lumbermen in Wisconsin are praying for snow.

A very unpopular officer with some of the ladies—General Housework.

The prize money for American sailors during the late war will foot up $6,000,000.

Ristori's one night in Detroit, netted $6,000 profit.

James, the famous English wrestler, died recently.

A shoolmistress in Olmstead, Ohio, has beaten a little girl, a pupil, almost to death.

Pittsburg contains five hundred large manufacturing establishments. It has fifty glass factories and sixteen potteries, forty-six iron founderies, thirty-one rolling mills, thirty-three machinery establishments, and fifty-three oil refineries, besides miscellaneous works of almost every variety, the whole turning out an annual product worth about $100,000,000.

From the annual report of the managers of the Philadelphia and Reading Railroad, we find that the gross receipts for 1866 amounted to $10,902,819. The gross expenditures of the year were $6,733,747, leaving a net profit of $4,164,072. The number of passengers carried was 384,302. In 1865, the net profits were $4,812,271, on receipts of $11,142,519.

An inch of ground adjoining a block of buildings, in Quincy Ill., was lately sold for $1,200, which is at the rate of $14,480 per running foot.

A Danville (N. J.) lady, who got divorced from her husband and married another man, has just eloped from him, running away with her first husband.

Prominent factors in Columbus, Ga., estimate the probable cotton crop of the present year—taking the receipts thus far as a criterion—at 1,750,000 bales.

Smoked beef is good. Smoked tobacco is of no account.

MARRIED

In Tarboro', on the 22d inst., by W. P. Lloyd, Esq., Mr. DAVID EVERETT, to Miss MATILDA NURNEY, both of that place.

DIED

In Clinton, on the 10th inst., of Pneumonia, SAMUEL HODGKIN, infant son of Wm. L. S. and S. L. Townshend, aged 1 month and 13 days.

Sleep on little darling one. "Of such is the kingdom of Heaven."

In Edgecombe county, on the 21st inst., Mr. JOSHUA L. LAWRENCE, aged — years.

Appointments for Roanoke District, N.C. Conference.

Warren, at Warrenton, Dec. 29 & 30
Wilson, Jan'y. 5 & 6
Tawboro', at Tawboro', " 12 & 13
Roanoke, at Ebenezer; " 19 & 20
Williamston, at Williamston, " 26 & 27
Plymouth, at Plymouth, Feb'y. 2 & 3
Washington, at Washington, " 9 & 10
Bath, at Woodstock, " 16 & 17
Matamuskeet, at Swan Quarter, " 23 & 24
Hatteras, at Hatteras, March 2 & 2

The District Stewards meeting will be held at the Church in Tarboro', on Saturday the 12th July. The Stewards are Messrs. H. Palmer, E. A. Thorn, Marcus Battle, R. E. Weathersbee. Chas. Latham, John Arthur, Jas. Clark and Dr. S. A. Long. I do not know who are the Stewards for Wilson and Hatteras. It is *important* that all should be present.

As the returns from the Annual Conference thus far indicate that the "plan for the introduction of Lay Representation," proposed by the late General Conference, will soon be officially announced as the law of the Church the district Stewards in anticipation of such announcement will elect four Delegates to our next Annual Conference, in conformity with the provisions of said law.

My Post Office, for the present, is Tarboro', N. C.

M. S. MORAN, P. E.

EXECUTOR'S SALE.

ROCKY POINT PLANTATION FOR SALE.

THAT

THE WILMINGTON JOURNAL.

WILMINGTON, N. C.,

FRIDAY, FEBRUARY 3, 1867.

EDITORIAL CORRESPONDENCE.

Relief of the People—Probable Legislation thereon—Caucusses and Rumors—New Railroad Project—The Supreme Court—Local Bills, &c., &c.

RALEIGH, MONDAY, Jan. 28th, 1867.

Dear Journal:—With the second day of the session, there being no quorum on the first, both Houses of the General Assembly began work with a zeal which indicates a determination to get through with business as early as possible. Much has been done during the first week, but with the exception of the enrollment of the billamending the Revised Code in reference to Apprentices, striking out all difference in regard to color, there has nothing of a general nature been finally acted upon. Mr. Leach's bill to protect property sold under execution from sacrifice, has occupied two days of the Senate, and a most interesting and able debate has attended its consideration. The bill was sustained by Mr. Leach and opposed by Messrs. Wilson, Hall and McCorkle. The negatitive had the better of the argument, but the affirmative the majority of votes. The bill passed its second reading on Thursday, and pending its final passage on Friday, the Senate adjourned. It will come up again to-day as the unfinished business.

The bill provides that where property is to be sold under execution, it is to be valued by two disinterested freeholders, and unless it brings its full value, the Sheriff or other officer shall postpone the sale for twelve months. This is one of the many schemes of "relief" now before the General Assembly, but as the Supreme Court of the United States has already decided in express terms the unconstitutionality of a similar act by the Legislature of Illinois, it seems that its passage would be idle and wicked clap-trap, and may lead to dangerous and ruinous ends. Under the false security of such a law, should it again be held unconstitutional, vast amounts of property may pass from its owners for a "mere song," for if the act does not protect the debtor, the highest bidder, however insignificant the offer may be, would secure the property should it be withdrawn after once offered and bids made.

The General Assembly is very justly determined to make an honest effort to relieve the present necessities of the people, and it is truly to be hoped that something, within the limits of the law, may be devised and adopted without resorting to the radical means in some instances proposed. Radicalism in National politics is fast drifting the country to inevitable ruin. Our Legislature, by a manly conservatism in all State legislation, should endeavor to stem the torrent. Every afternoon the peculiar friends of "relief" hold a caucus in the Hall of the House of Commons, at which some thirty or forty members attend, but as yet no definite action has been determined upon. Many members seem to think that unless some compromise is settled upon the tens of thousands of writs which are now being issued to the Spring Terms of the Superior Courts will have no tribunal to be returned to, as many, very many advocate the abolition of the term.

The committee appointed by the House at the last session to take into consideration this subject, is understood to be ready to report, and will do so to-day. The bill to be presented has had the careful consideration of lawyers of that body, and some of the ablest legal minds of the State. It is thought by the friends of the proposed bill that it will stand the test of the Courts, and is framed with due consideration for the necessities of both creditor and debtor. As soon as reported its provisions will be forwarded.

Mr. Waugh, the intelligent and zealous Commoner from Surry, introduced into the House on Friday, a bill to enable the Western (Fayetteville) railroad company to extend its road across the N. C. railroad to the Virginia line near Mt. Airy. The bill grants full power to the President and Directors to extend this road across the N. C. railroad by the most practicable route to pass by or near Salem, and thence by or near Mt. Airy to the Virginia line. The Public Treasurer to be authorized to subscribe to the capital stock one million of dollars, to be paid with the second Mortgage Bonds of the Wilmington, Charlotte & Rutherford railroad, one-half of which is to be spent on the East, and the other on the West of the N. C. railroad, and private subscriptions are to be expended upon that side of the N. C. railroad upon which the stockholder lives. The bill has been referred to the committee on Internal Improvements. If any portion of the State can claim consideration it is that section through which this proposed road is to run. To find an inlet or outlet, the people of Forsythe and Surry have to wagon their products and merchandize many miles. A vast extent of rich agricultural and mineral lands will be open to the North Carolina roads, whose wealth is now locked up or finds a tedious and expensive outlet through Virginia.

The decision of the Supreme Court in the matter of Hughes, already published in the *Journal*, has excited much comment among the bar in attendance on that Court and the members of the Legislature. It is almost universally condemned in unmeasured terms. That such a paper, evidently prepared before the beginning of the term and appended to the case in question with as much propriety as if it had been to the Apprentice case, (see elsewhere) or any other case before the Court, should be *Per Curiam*, surprises and mortifies the friends of some of the distinguished Judges. When the Supreme Court enters the arena of politics to reply to anonymous letters published during an election long since decided, it is *at least* to be regretted that it is not done with more ability.

The New Hanover Criminal Court bill has not yet been reached in the House. In the Senate, on Saturday, the bills to incorporate the Bladen Land Company and the Bladen Manufacturing Company, were called up and passed to an enrollment, through the efforts of Mr. Lloyd, who watches with jealous care over the interests of his constituents.

E.

Education in North Carolina for the Future.

Nothing received a greater shock in the great and disastrous struggle through which the South has passed in the last six years than Education in all its useful branches. No subject ought at any time to command more earnest consideration, or receive more generous support and wise direction. Taking it for granted that its paramount importance is admitted by all, we purpose, in a series of articles, treating of Education in a comprehensive view, beginning with the very fundamental principles, and enlarging upon its various branches, and the adaptability of each to different classes of society. We shall endeavor to point out the necessities of each class, and to the best of our ability indicate what will be most beneficial in the development and improvement of the moral and mental faculties, and the means which can be most aptly employed for producing the most desirable results.

The genius of our people and the principles of government alike declare the necessity for some system by which the rudimentary elements may be imparted to all. To estimate the value of such acquisition on their part, is more than human wisdom may accomplish. What then is that method by which all the children of the State may receive that rudimentary instruction, which will enable all to enter the course of an active, busy life with fairness and hopeful prospects? We believe that the first requisite is to have uniformity; the second that the instructors shall be thoroughly competent, and the third, that there be some fixed and responsible head; that head made so by definite appointment, and controlled by palpable law. To establish uniformity, the law must place in the hands of some party or parties the duty of organizing a system and establishing regulations. In many of the States this is intrusted to a Board of Education or of Public Instruction, and we know of no more desirable arrangement. The proper qualification of the teachers may be secured by requiring from all those who adopt the high and responsible calling of instructing children, that they possess characters unblemished by moral deformity, and intellects trained and directed to the object in view. Why are lawyers, physicians, merchants, bankers, tradesmen, in fact, almost every other occupation, specially trained for the particular pursuit? There is but one answer, and that is, that to insure success, such experience is indispensable. If we but look properly at the past and will examine the operations of the present, the necessity for this preparation on the part of teachers will be so apparent, that argument will be needless to enforce it. Teaching effectually is one of the highest arts. To attain excellence in it requires assiduous study and unwearying patience and energy. The most brilliant genius is as likely to fail, as a teacher, as the least gifted, if he neglect that careful preparation, and disregard that constant attention to, and accurate study of, youthful characteristics, and that just discrimination of particular temperaments, and above all, that unswerving impartiality and sense of justice which spring from innate rectitude. These are requisites in men and women who go forth to teach; and added to these must be a thorough knowledge of what is to be taught, for he who understands but imperfectly, will be sure to impart vaguely and inaccurately.

Legislation will be necessary to start the system, and good judgment will have to be exercised in selecting an Educational Board. They should be men who will be willing to labor in the cause over which they are placed; men whose acquirements fit them for the position; and although we are poor, let us realize that practical truth, that men generally do that best for which they are best paid. Honorary titles and empty honors, will not secure either in such a Board, or in teachers that talent which is indespensable to accomplish worthy ends.

As a great incentive to education, conventions of all the teachers, of whatever grade, should be called at least yearly for full discussions of all subjects pertaining thereto; for much as theories, essays or individual efforts may tend to advance this great cause, the combined and united exertions of those striving for one purpose, must make far greater strides. Besides, teaching is eminently a practical art, and one which will be susceptible of improvement so long as the human mind shall be capable of making new discoveries in knowledge.

Primary education in its general or universal applicatian, as is herein contemplated, must be conducted in its details with the greatest circumspection; and among other considerations which should receive strict attention, is that which should prevent the careless mingling of the sexes.—With great reason we have cause to be proud of the chastity of the females of our State, and it should be our constant care to throw around them every proper safeguard to secure to future generations this pure and inestimable virtue. It is not prejudice, but conviction, founded on observation, which leads us to assert the belief, that much of the vice so prevalent among the ignatical propagandists of many portions of the North, is traceable to the promiscuous and unrestrained mixing of the sexes of all ages at the public schools.

What has been stated is intended to be alike applicable to both races, white and black; but it should be forever required that the two races be kept separate and distinct. We will go as far, and do as much for the blacks in their own sphere, as any one; but for every reason which ought to influence the good and wise, we insist upon complete distinctness of race and association. Give to them every facility for improvement; protect them in every right; assist and direct them in every effort for their advancement, and, until they can have persons from among themselves properly educated for the duties, let us from our best men and women furnish teachers for them, for by so doing we fulfill our duty, and we do that which will redound to the negro's most lasting welfare, as well as protect ourselves against the false teachings of those who do not love, if, in truth, they do not hate us.

Internal Revenue.

We give below two letters lately received from the Deputy Commissioner of Internal Revenue at Washington to the Collector of this District in reply to letters asking for instructions on certain questions. The instructions will be found of importance, and the attention of Collectors of Districts contiguous to this market is particularly called to them.

It will be seen that the instructions expressly direct the Collector at this point "to refuse to recognize all permits for the removal of cotton where the blank is not properly filled, in accordance with instructions, or where it wants the official seal of the Collector or other officer by whom it purports to have been issued."

We publish these letters with a view to remedy an evil to which our merchants have been subjected by the negligence or ignorance of Collectors or their deputies, in the districts of South Carolina contiguous to this market. In many instances where cotton has been sent to this port for shipment, the permits were without the official seal. They have been in the habit of issuing permits and draw back papers, drawn up properly it is true, but simply bearing the signature of the officer, accompanyed with an imitation of a seal. Cotton so sent, has been detained by the Collector of this district, who, in obedience to instructions, has refused to recognize all permits wanting the official seal. Our merchants have in instances of this character been compelled to return the papers to the point from whence issued, in order to have them bear the impress of the official seal. Particularly has this fact been noticed in connection with papers accompanying cotton from the first district of South Carolina.

The remedy proposed is this: That each District Collector furnish his Deputies with blanks bearing the impress of the official seal, and there will be no difficulty in the way of recognizing the permit when the cotton arrives at the port of shipment, and the inconvenience resulting to the merchants from the present loose system of doing business on the part of collectors will be done away with:

TREASURY DEPARTMENT,
OFFICE OF INTERNAL REVENUE,
Washington, January 22d, 1867.

SIR: Yours of the 17th inst., enclosing permits for the removal of Cotton not bearing the impress of the seal of the Collector for the district where issued, and asking if this was considered essential, was duly received.

In reply, I have to say that officials in all Cotton producing districts have been notified that the official seal is essential in all cases to the validity of the permit, and you will refuse to recognize all permits for the removal of Cotton where the blank is not properly filled, in accordance with instructions, or where it wants the official seal of the Collector or other officer, by whom it purports to have been issued.

Very respectfully,
W. HARLAND,
Deputy Commissioner.

L. G. ESTES, ESQ.,
Collector 2d Dist., Wilmington, N. C.

TREASURY DEPARTMENT,
OFFICE OF INTERNAL REVENUE,
Washington, Jan. 22, 1867.

SIR:—Yours of the 17th inst., enclosing letter of Williams & Murchison, relative to the order of the Collector of Customs, requiring them to show permits for the removal of Spirits Turpentine, before the same can be allowed to land at the port of New York, was duly received.

In reply, I have to say that it is not necessary to have permits for the removal of merchandize, liable to tax, under the Internal Revenue Laws, from the Southern States, except in the cases of Cotton or other merchandize, transported in bond.

Respectfully,
W. HARLAND,
Deputy Com'r.

L. G. ESTES, Esq.,
Collector 2d Dist., Wilmington, N. C.

WITH feelings of pride, affection and gratitude for its author, we call attention to the speech copied on our first page, of Major Moses, lately delivered in the Legislature of Georgia. To worthily notice its patriotic eloquence is more than we can even hope to do; but the sentiments expressed in its glowing language touch, like electric fire, every chord of our heart's dearest and tenderest sympathies. From every sentence we may learn the lessons of truest patriotism, and by every word which fell from his lips, which seemed inspired by the theme, we are taught to love, to honor and to cherish all that is honorable in a noble life—all that is glorious in heroic death.

Let the young and the old of every class in our own beloved State learn to experience and practice that patriotism, that pride, that affectionate gratitude, which will cause us forever to enshrine in our hearts the memories of North Carolina's immortal dead, and to embalm in imperishable history the deeds of those children who died for her liberty.

Into the hands of the pure and noble women of our State, we with love and reverence commit the sacred keeping of their ashes, and we know that they will inspire their remaining husbands, sons and brothers, and their descendants for all time, to be worthy of the record of *our* Confederate dead. To them all future ages will look with wondering admiration, and exclaim, peerless immortals!

Apprentices.

We publish this morning an important decision of our Supreme Court upon the question of Apprentices. There is no question of more general interest to our people at present, and it has been the subject of an important correspondence between Governor Worth and General Howard, and General Sewell is now in Raleigh to confer with the State authorities.

The General Assembly, on Saturday last, amended the fifth chapter of the Revised Code, by striking out in the first and second sections thereof, the portions making a difference between the binding out white and black children. The law is now the same, without regard to color.

The decision which we publish to-day will be found to possess general interest upon this subject, and will correct errors heretofore fallen into by our County Courts in reference to this matter.

There have been so many radical changes in our laws, and so many questions of grave importance are being settled by the Supreme Court, that we shall spare no labor or expense to get early and correct reports of all decisions of important general interest as early as possible.

Wm. Pollock, of Pittsfield, Mass., died recently, leaving $1,500,000.

Crops of Eastern North Carolina for eight years preceding the War.

We present to our readers the following tables of leading articles transported over the Wilmington and Weldon Railroad from 1854 to 1861, showing the quantity of each article brought to this market and carried to Weldon for either Petersburg or Portsmouth. From this statement we see that in 1860 there was more Cotton brought to Wilmington than was carried to Petersburg and Norfolk together, viz: 15,893 bales to Wilmington and 15,363 bales to Weldon.

There are some interesting facts shown by this table, as indicating the *direction* certain products take for their market; for example, bacon, wheat, flour and naval stores, uniformly sought Wilmington in preference to Virginia cities.

Could we induce capitalists to seek our city and open wholesale stores here for the sale of goods usually wanted by our people east and west, we might draw to our town much that now goes elsewhere. Who will look into this matter? This was, before the war, the best West India goods market in the United States, and why shall it not be so again?

Very soon the railway connections will be made between the cities of Richmond and Petersburg by which loaded cars may run from the Cape Fear to the Potomac.

What then hinders our merchants from sending molasses, sugar and the like West India goods by rail to those cities, and in return bring flour and tobacco, either for home consumption or exportation? The lumber wanted in the West Indies should bring in at low prices all the molasses, sugars, &c., &c., wanted, not only to supply North Carolina, but a portion of Virginia from this port.

Who will move in this matter? Let us see; but don't all start at once, for if you do the business will be overdone.

More of this again.

Statement of the Leading Articles of product transported over the Wilmington & Weldon R. R. from 1st October, 1853, to the 30th day of September, 1861:

DELIVERED AT WILMINGTON.

	Bacon lbs.	Corn bushs.	Cotton bales.	Flour bbls.	Wheat bushs.	Rosin bbls.	Spts. turpt. bbls.	Crude turpt. bbls.	Tar bbls.
1854	430,768	15,915	2,541	225		80,225	30,432	12,478	6,930
1855	521,906	17,378	2,781	116	84,541	34,018	17,335	8,397	6,944
1856	518,768	20,384	7,650	57	67,675	60,047	30,419	10,995	10,674
1857	389,046	20,248	7,435	9,584	87,676	60,551	58,109	12,875	4,479
1858	141,810	11,817	8,883	10,800	80,550	76,098	28,877	20,712	12,173
1859	271,780	19,401	10,732	10,591	51,214	61,525	36,924	24,179	18,658
1860	377,082	8,488	15,893	10,837	16,305	13,202	10,759	18,053	8,732
1861	984,228	14,778	8,431	10,305		12,794	6,672	8,598	8,598

DELIVERED AT WELDON.

	Bacon lbs.	Corn bushs.	Cotton bales.	Flour bbls.	Wheat bushs.	Rosin bbls.	Spts. turpt. bbls.	Crude turpt. bbls.	Tar bbls.
1854	409,812	15,975	7,068	270	1,156	113,888	31,712	13,469	6,944
1855	527,426	26,807	13,573	4,901	3,052	100,224	34,713	18,721	8,798
1856	527,578	31,918	12,935	15,084	67,510	72,450	30,531	19,605	11,723
1857	672,892	19,806	12,693	20,248	81,631	87,676	58,277	24,179	3,491
1858	650,587	13,547	10,058	14,065	84,275	96,630	24,059	24,712	11,173
1859	575,078	25,988	20,568	12,953	76,222	67,960	24,994	19,699	18,658
1860	674,510	12,713	31,236	11,235	67,573	25,823	18,056	7,702	8,598
Total	1,057,210	103,223	34,451	8,593	10,630	16,850	10,976	6,672	8,598

WILMINGTON & WELDON RAIL ROAD COMPANY.

Receipts from business done by this Company for 1865 and 1866, for three months in each year, beginning with October 1st, as stated in the following table of comparison:

	1865.	1866.
October gross receipts	$34,050 28	$47,403 20
November " "	39,291 50	50,868 62
December " "	45,153 50	45,439 88
Total	$118,727 28	$139,761 70
Increased receipts for 1866,	$21,034 42	

"Vindex."

We publish the strictures of "Vindex" in another column because the decision of the Supreme Court to which they refer, and which we have heretofore published, is a matter of public interest, and is a fair subject of criticism. We know that "Vindex" entertains the highest respect for the judicial office, and is prompted by no desire to gratify any personal feeling in the matter.

An Act Regulating the Depreciation of Confederate Currency.

As a matter of interest to the legal profession and the public generally, we give place to the following act, passed by the present Legislature on the 24th inst.:

An act to construe "an act to establish a scale of depreciation of Confederate currency," ratified the 12th day of March, 1861, doubts having arisen whether the scale of depreciation therein provided, applies to debts therein named at the date the contracts were made, or at the date the debts become due.

Therefore, to remove all further doubts, and to prevent all further trouble,

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the scale of depreciation of Confederate currency, established by the above entitled act shall be construed to apply to debts therein mentioned at the date of contracting the same, and not at the time said debts become due.

Be it further enacted, That all laws and clauses of laws, conflicting with this act be, and the same are hereby, repealed.

R. T. MCADEN, Speaker H. C.
M. E. MANLY, Speaker Sen.

Ratified 24th day of January, 1867.

Impeachment.

Various reports from superior Radical sources of information, touching the secret machinations of the impeachment conspirators, have been made public, but what is stated to have actually transpired should have been to the effect that they are determined upon it. We fear that the conspirators contemplate at this time such desperate steps that the country will literally recoil should they move on to the consummation of their plots against the integrity and security of the Government.

National Intelligencer.

The Utah Legislature has petitioned Congress to repeal the law against polygamy.

For the Journal.

The Supreme Court—The Hughes Case—Traveling out of the Record.

One of the grayest faults of which a Judge can be guilty, is that of going beyond the questions presented for his decision to pronounce an opinion upon other matters not necessarily involved in the issue. Under our system his duty is simply to pronounce what is the law arising upon a certain state of facts submitted to him.—Every postulate laid down by him not presented by, or logically springing out of, the facts before him, is a mere *dictum* (as it is technically termed) and of no binding authority. These *dicta* will often be found in judicial decisions, and to them is attached as much, or as little importance as the character of the Judge may, in the reader's opinion, justify, but they are not *authority*. It may be, and in revolutionary times it is, difficult to avoid intermingling political questions with those of a purely legal nature; but with the former an American Judge has nothing to do, except perhaps where questions of constitutional law may be involved, wherein he is restricted to the question of *power*, or of International Law as applying between governments. If he discusses the *political* course of any man or party, he soils his ermine, and prostitutes his office. The independence of the Judiciary is the sheet anchor of every free government. The illustrious Chief Justice Marshall said, "the greatest curse which angry Heaven could inflict upon a sinning people, would be a dependent Judiciary."

No State has ever had a purer or more independent Bench than North Carolina. Chosen for high character and legal attainments, and elected by the Legislature for life, our Judges have been the peers of any in America. The opinions of one, at least, of them have been quoted as authority in Westminster Hall, and up to the present time the judicial ermine of the State has been spotless. But we confess to a sense of shame and sorrow on reading the judgment of the Supreme Court in the *habeas corpus* case of Hughes, published in the *Journal* of the 24th inst. Hughes was charged with cheating, by false pretences, a citizen of New York, and a requisition having been issued by the Governor of New York to the Governor of North Carolina for him, and having been complied with, and Hughes having sued out a *habeas corpus*, the only questions presented for the consideration of the Court were—1st. Was his offence a *crime* according to the meaning of that word in the United States Constitution so as to justify his surrender to the Governor of New York?—And 2d. Could the Governor of North Carolina arrest and deliver Hughes a *second time*, after he had once been allowed to leave the State of New York on bail? These were the only questions presented, and the Court very briefly decided both in the affirmative.

We deeply regret, for the honor of the Court and the State, that the judgment did not end with the announcement of the decision. But, while admitting that no such points were made in the case, the court, oppressed by "a decent regard for public opinion," proceed through the Chief Justice to discuss, at great length, the question whether Governor Worth is rightfully in his office; whether the Convention of 1865 was a rightful Convention, or an "unlawful assembly," and whether the Legislature called by the Convention, and the officers of the State (*including themselves, of course*) were lawfully appointed or elected! The court starts out in consideration of these questions with the admission that no constitutional law was involved, as the Convention was "neither constitutional nor unconstitutional." Of course no municipal law was involved, and as international law could not apply, according to the theory of the Court, there was nothing left to discuss but *a question of politics*—and there are two melancholy columns of this, which will forever stand as a reproach upon the pages of our Reports. Being nothing but a political essay, they are grossly out of place; being a very weak political essay, they reflect no credit on the statesmanship of the Court, *and being generally accepted as a reply to an anonymous newspaper article, commonly attributed to the late Chief Justice of the Court*, they strongly savor of the hustings.—Whether the conclusions of the Court on these political questions are right or wrong, is not a matter of the slightest consequence, as they are not binding.—The impropriety lies in the expression of any opinion at all; and the fact that the opinion is interlarded with slang phrases and bad English does not alleviate our sorrow in the least. Nor do we find greater consolation—after reading a long defense of the President's "policy"—in the discovery that the argument resolves itself into a vindication of the authority of the Court, and finally tapers to the following sickly conclusion: "*At all events* it seems to us entirely clear that the officers of the State who have been by this means, and in this manner, chosen and inducted into office have rightful jurisdiction and power to discharge the duties of their respective offices until some other provision shall be made for the government of the people"!!!

Reverence for authority is a characteristic of the people of North Carolina, and the Supreme Court have always received a much larger expression of this sentiment than any other department of the State government. They have always enjoyed the profound respect of the people, and we are gratified to say that as a body they have always deserved it. But it will not require many such "opinions" as this one in Hughes's case to bring that tribunal into public contempt. We confess to some surprise at not seeing a *disclaimer*, of all that follows the decision of the two points raised, by one or the other of the associate Judges—if, for no other reason, simply for that it was unnecessary and unbecoming the dignity of the Court.—The little eccentricities of the Chief Justice have heretofore been overlooked in view of his own great learning, and the pure and steady lights by his side, but we should deplore as an indication of the decline of public virtue, that state of indifference which would suffer a judgment like the one under consideration to be pronounced without evoking a comment.—There is an *esprit de corps* among the Bar which prompts them at all times to support and defend the judiciary in the discharge of their duty, and we should grieve to see any abatement of this spirit among them; but it is no evidence of the existence of this spirit to be silent in the presence of a judicial impropriety affecting the public interests. There are no public officers who should be so carefully shielded from unjust attacks as the judiciary, for reasons sufficiently obvious, and for the same reasons there are none to be held to such strict accountability. The sturdy refusal of Lord Coke to yield either to the persuasions or threats of his King covered him with glory; his brutal treatment of Sir Walter Raleigh rendered him infamous.

We devoutly trust that the time may never come in North Carolina when the Court—which has thus unnecessarily gone out of the way to proclaim that it *is* a Court and to lay down a certain political theory—may have either to swallow its own decision, or to repeat it; and we further express the hope that if, hereafter in any similar vagaries the Court should again accidentally confront the question whether a State had a right to secede, it will not deem it absolutely necessary again *judicially* to "suppose that question to have been settled by the result of the war."

VINDEX.

Reported for the Journal.

APPRENTICES.

Important Decision of the Supreme Court. Ambrose vs. Russell.

The petitioners are persons of color, who, together with their parents, had been slaves, and were emancipated by the Ordinance of the Convention. They were taken in custody by the defendant Russell, who claimed to hold them as apprentices, under an order of the County Court of Robeson, purporting to bind the petitioners to him. The petitioners obtained a writ of *habeas corpus*, returnable before Judge Gilliam, who, upon the hearing, remanded them to the custody of the defendant.

Two questions are involved in the case:

I. Had the Judge, upon the hearing, the right to look behind the order of the County Court, binding out the petitioners?

His Honor was of the opinion, that he was precluded by the order, and had no right to look to the merits of the case.

In this we think there was error. The defendant who claims the right to restrain the liberty of the petitioners, must show his authority. And when he shows the order of the County Court, the petitioners have the right to reply, that the order is void. And this they may do, either by showing that they were not such persons as the Court had the power to bind out at all, or that they had no notice of the proceedings against them, and, therfore, no opportunity of being heard. If judgment be rendered by a Court having no jurisdiction, or against a person who has no notice to defend his rights, it is no judgdment at all. Stallings vs. Gully 3, Jones R. 344. And in Price vs. Hight 6, Jones R. 265. This Court did look behind the order of the County Court, to see whether the County Court had the power to make the order, *i.e.* had jurisdiction over the petitioner.

II. Does the fact that the petitioners had no notice of the proceedings against them, and were not present when the order of the County Court was made, make the order of binding void?

We think it does. The constitution and laws of the country guarantee the principle, that no freeman shall be divested of a right by the judgment of a Court, unless he shall have been made party to the proceedings in which it shall have been obtained.

Armstrong vs. Harshan, 1 Dev. R. 187. In all proceedings of a judicial nature, it is necessary that the person whose rights are to be affected should, in some way, be a party to the proceedings. It is not sufficient that the Court should have jurisdiction of the subject matter, it must also have jurisdiction of the person. It is a clear dictate of justice, that no man shall be deprived of his rights of person or property, without the privilege of being heard.—Stallings vs. Gully, *supra*. And, it is well settled, that judgment without service of process is void.

The case of Owens vs. Chaplain, 3 Jones R. 323, is relied on as showing, that neither notice to the person to be bound, nor his presence in Court is necessary. It is true that in the opinion delivered in that case, it is said that, "there is nothing in the statute requiring the presence of the orphan when the binding takes place, though it is usual." But the case did not require that point to be decided. That case was this: An orphan had been bound out by the Court, and a third person applied to the Court to vacate the order binding out the orphan, and to bind him to that third person. The orphan was not moving in the matter himself, and, of course, the Court refused to interfere at the instance of a third person, who had no interest in the matter. So that we cannot give to that case the force of a decission upon this question. The case before us is at the instance of a person whose liberty has been affected by the order and he has the right to raise the question. And we think it clear, that whether the statute requires it or not, the petitioners have the right, upon general principle, to be present, or at least to have notice of the proceedings. And although the statute does not in terms require it, (which is probably all that was meant by the learned Judge in the case of Owens *vs.* Chaplain,) yet it is fairly to be inferred.—The statute, sec. 5, requires the master to give bond to *produce the apprentice before the Court* whenever required. And in sec. 7 it is provided, that when a Magistrate shall permit a house-keeper to employ an orphan, he shall take his "recognizance *to bring the said orphan to the next County Court*" to be bound out. So that, it seems clearly to be contemplated by the statute itself, that whenever it is necessary for the Court to take any action in regard to orphans, the orphan shall be before the Court.

The proceedings of our County Courts have been in a summary way in binding out apprentices. And, although it has been usual to have the person to be bound present, yet we know from observation, that it has not been invariably the case, yet our Courts have usually acted with consideration, and have guarded the rights of the apprentices, and given satisfaction to society. And there have been as few complaints of the abuse of power in this, as in any other exercise of duty by our Courts. It could not well have been otherwise. We have had, hitherto, but few orphans to bind out. Of course we did not bind out slaves, and there were but few free negroes, and indigent white children usually found friends among their relations to take care of them. And in the few instances where binding was necessary, care was taken by the friends of the children, and by the Court itself, that the best that was possible should be done for the child. And, besides, apprentices were never looked to as profitable, and were seldom taken except by those who felt some interest in their personal welfare, so that there were no inducements to frauds upon the Courts.

But now a very different state of things exists. The war has impoverished the country, and made wrecks of the estates of orphans, and its casualties have greatly increased their numbers, and one-third of the whole population are indigent colored persons. So that the exceptional case which we used to have, must be greatly multiplied, and the responsibilities and duties of the County Courts must be increased in proportion. It is, therefore, of great importance that their duties, and the rights of both apprentices and masters, in the proceedings for binding, should be defined and understood. We have no hesitation in saying that in all cases of binding apprentices, whether white or colored, it is the right of the person to be bound to have notice, and it is the duty of the Court to see that they have notice, and it is, to say the least, *prudent* in the Court to *require* that the person should be present in Court. There can be no case where notice can be dispensed with, and the actual presence of the person ought only to be dispensed with where he has intelligent friends present, who can see that his interests are properly guarded.

The case before us shows the propriety of what we have just said. Take the case as stated by Judge Gilliam, the petitioners are females, respectively thirteen and fifteen years of age, an age when they stand most in need of the oversight of their parents and friends. They are industrious, well behaved and amply provided for in food and clothing. They live with their mother and step-father who are of good character and are well to do. What better off could they be or need they be? What interest had society in having their relations broken up, and themselves put under the care of strangers, with no affection for them—nor any other interest, except gain from their services. Now if these persons or their friends had been present when the application was made for their binding, would any Court in the State have bound them out? Of course not. It would have been a gross outrage if they had. A Court ought not to and will not bind out an orphan unless it appear that its condition will be improved. It is a high duty of the Court, and one which they perform with pleasure, to protect these helpless children and not only prevent oppression and fraud, but to act as a friend and guarding and improve their condition. I remember that when I was at the Bar, the County Court of Granville had ordered sundry orphans to be brought to Court to be bound out. Among them were three or four who were neat and clean, and their mother was with them, and cried much, but said not a word. Upon enquiring it was found that she was an honest industrous woman and widow, who had labored hard for her children, and just when they could begin to help her the rapacity of some bad man sought to take them away.

Some gentleman of the Bar suggested, that instead of taking away her children there should be a contribution to enable her to keep them, and it was readily responded to by the Court and the Bar and the crowd, and a handsome sum was given to her and she kept her children. There is shown the propriety of having the persons actually present in Court, in order that the Court may see their condition, the condition of their parents or friends, who have charge of them and to hear their own simple story, and if binding be necessary, to see their capacity and fitness for one employment and another, and also to give publicity to the matter, so as to invite applicants, in order that the Court may select the best masters.

In the case before us it is manifest from the statement of the case sent us, that the humane and intelligent Judge who heard the cause, would never have remanded the petitioners to the custody of the defendant, if he had supposed that he had the right to look behind the order of binding—not so much perhaps for any fault in the defendant, as because there was no propriety in taking them from the society and services of their parents and friends, to bind them to any person.

There was an interesting discussion at the bar as to the class with which the petitioners were to be put, supposing that they were liable to be bound out at all. Our statute, Rev. Code, chap. 5, sec. 1, passed before the war, provides that "It shall be the duty of the several Courts of Pleas and Quarter Sessions to bind out as apprentices, all orphans whose estates are of so small value that no person will educate and maintain them, for the profits thereof." And after enumerating other classes, the statute proceeds: "Also the children of free negros, where the parents with whom such children may live, do not habitually employ their time in some honest, industrious occupation, and all free base born children of color."

But it is not necessery, and therefore it would be improper for us to enter into the consideration of those questions, because, whether they belong to one class or another, they were entitled to notice before they could be bound out, and as they had no notice and were not present, the binding was void, and therefore, they are entitled to their discharge and to go whereso'ever they will.

(signed.) READE, J.

Important Suggestion for a National Democratic Convention.

The following preamble and resolutions offered by Hon. Thos. B. Florence, of Pa., were unanimously adopted by a meeting of the members of the National Democratic Association, held in Washington City, on the evening of the 23d inst.:

Whereas the sacred bequest of that greatest of human blessings a free constitutional government has imposed upon us the imperative duty of transmitting it unimpaired to our posterity.

And whereas, the course of the majority in Congress has created a well grounded apprehension that, to preserve a partizan ascendancy, this priceless heritage is about to be recklessly sacrificed by the overthrow of the just independence of the States, which are its safest depositaries, and by grasping in the hands of one of the great coordinate branches of the government all the powers which have been so wisely distributed among the three, and which distribution cannot be disturbed without the most imminent peril to the whole system.

And whereas the history of the past has fully demonstrated the great truth that the Democratic Party, though sometimes erring, has nevertheless adopted, and still maintains, the true theory of our peculiar system of government, and can only be relied upon to correct those errors which have always resulted from a departure from the true, fundamental principles on which that government was founded:

And whereas the public mind seems to be pervaded by a general uneasiness, which has become so far organized in one State as to manifest itself in a proposition for a call for a Constitutional Convention, and in the four States of Kentucky, Ohio, Connecticut and New Hampshire, as to have produced a recommendation to hold a National Convention at an early day to take into consideration the peculiar dangers that are now impending over us, and to endeavor to provide a remedy. Sharing in the apprehensions so justly excited and concurring in the views which have been to some extent already expressed, the National Democratic Association feels called upon to give expression to its own sense of public duty in the present emergency, therefore be it resolved,

1. That in our opinion the present perilous condition of our national affairs calls for the interposition of that great power from which, under Heaven, we can alone look for the salvation of our republican institutions.

2d. That we believe it expedient that a National Democratic Convention should assemble at an early day to take into consideration the peculiar perils which now surround us, and to take such steps as may be deemed necessary for the general safety.

3d. That in our judgment a general invitation to unite in such a convention should be extended to all those of every shade of previous political opinion who now sympathize with the friends of constitutional Government, and who desire to preserve alive its great and vital principle by according to each of the States the rights which are guaranteed to it in our great Federal Compact.

4th. That we recommend the city of New York as the place, and Tuesday, the 21st day of May next, as the time for the meeting of such National Democratic Convention.

Supreme Court Opinions.

By PEARSON, C. J.—In the State *vs* Pharro, from New Hanover, no error. In Moore *vs* Felton, equity, from Halifax, directing the report to be reformed. In Hughes, *ex parte*, remanding the petitioner.

By BATTLE, J.—In Grissett *vs* Smith from Columbus, affirming the judgment.—In Davis *vs* Dashnal, Pasquotank, affirming the judgment. In Hall *vs* Thorburn, from New Hanover, affirming the interlocutory decree.

By READE, J.—In Harriet and Eliza Ambrose, children of color, *ex parte* discharging the petitioners. In State *vs* Merritt, from Duplin, no error. In M. Egypta de Oliviera *vs* the University of North Carolina, from Chowan, in equity, demurer overruled and cause remanded.

J. Edwin Moore, of Martin county, received license to practice law in the Superior Courts.—*Raleigh Sentinel.*

In the Senate, on Saturday, an important proposition was introduced by Mr. Trumbull, the chairman of the Judiciary Committee, which is designed to make incligible for the Presidency any one who has ever held the office. It is, of course, offered as an amendment to the Constitution. Mr. Wade announced his purpose to press its immediate passage, in order to give opportunity for the legislatures now in session to act upon it.

National Intelligencer.

A good instance of absence of mind was that of an editor quoting from a rival paper one of his own articles, and heading it "Wretched attempt at wit."

From the Raleigh Sentinel.

NORTH CAROLINA LEGISLATURE.

SENATE.

FRIDAY MORNING, Jan. 25, 1867.

The Speaker announced Messrs. Bullock, Covington and Thompson as the Committee on enrolled bills for the week.

Senate branch of the Committee on a Memorial from the Trustees of the University of N. C., are Messrs. Hall, Gash and Moore.

REPORTS OF COMMITTEES.

Mr. Cunningham from the Committee on Propositions and Grievances, to whom was referred a bill authorizing Executors and Administrators of insolvent estates to settle the same *pro rata*, recommended its passage.

RESOLUTIONS AND BILLS.

By Mr. Koonce, a bill authorizing the sale of a lot in the county of Jones. On his motion, the rules were suspended and the bill passed its several readings.

By Mr. Covington, a bill to be entitled an act to amend chapter 22, section 55, of the acts of 1866. Referred to the Committee on Finance.

BILLS ON CALENDAR.

Bill to protect property sold under execution from sacrifice, came up on its third reading. This bill was discussed for several hours. Messrs. Hall, Wilson and McCorkle opposed the bill strongly, on the ground of its unconstitutionality, and Mr. Leach urged its passage, believing the bill to be constitutional and was quite sure the Supreme Court would so decide.

The hour for the special order having arrived, it was postponed on motion of Mr. Thornton, in order to continue the consideration of the bill under debate.

Mr. Johnson then offered an amendment to the bill under discussion, which was adopted, and the further consideration of the subject for the present, was postponed.

A message was received from the House proposing to raise a Joint Select Committee composed of three members on the part of each House, to be entitled the Committee on Federal Relations. Concurred in, and

On motion of Mr. Wilson, the Senate adjourned until to-morrow 10½ o'clock.

HOUSE OF COMMONS.

FRIDAY, Jan. 25, 1867.

BILLS INTRODUCED.

By Mr. Latham, of Craven, a bill to incorporate the North Carolina Agricultural and Manufacturing Company.

By Mr. Waugh, a bill to enable the Western railroad to extend its road across the N. C. railroad, to the Virginia line, near Mt. Airy in the county of Surry.

By Mr. Peebles, a resolution authorizing the State Librarian to purchase 50 copies of Battle's Digest to present to the several States of the Union, in return for Reports presented to North Carolina by said states.

By Mr. Morehead, a bill to incorporate the Greensboro' and Dan River Railroad Company.

By Mr. Patton, a bill to enable the Buncombe Turnpike Company to subscribe the stock in their road to the Western N. C. railroad.

By Mr. Rountree, a bill to incorporate the town of Hookerton in the county of Greene; and a bill to incorporate Jerusalem Lodge, No. 95, of Free and accepted Masons.

By Mr. Blair, a bill to incorporate the New Market Foundry and Manufacturing Company, in the county of Randolph.

By Mr. Bowe, a bill to amend section 2d of chapter 46, Revised Code.

By Mr. Barham, a bill to amend an act entitled an act to extend the time for registering deeds and other conveyances.

Mr. Moore, of Hertford, for the Joint Select Committee, to which was referred so much of the Governor's message as relates to the "African race" and "Apprenticeships," reported the following bills, recommending their passage, viz: "a bill relating to apprentices," and "a bill to amend chapter 5, of the Revised Code, entitled "Apprentices."

These bills after some discussion passed their several readings. [They abolish all discriminations heretofore made between white and colored children in the matter of apprenticeship.]

The following engrossed bills from the Senate, had their first reading in the House, viz: A bill to amend the act regulating salaries and fees, and a bill for the better suppression of horsestealing.

A resolution in relation to Weights and Measures, and a bill allowing compensation to Judges, holding Courts of Oyer and Terminer.

Mr. Crawford, of Macon, (by leave) introduced a resolution in favor of Jacob Siler, agent of the State for the sale of Cherokee Lands.

Mr. Latham, of Craven, a bill to incorporate Newbern Lodge, No. 345, Free and Accepted Masons.

By Mr. Henderson, a bill to authorize Walter Smith, Sheriff of Rockingham county, to collect arrears of taxes.

By Mr. McKay, a bill to amend the charter of the Fayetteville and Florence Railroad Company.

On motion of Mr. McNair, a message was sent to the Senate proposing to raise a Joint Standing committee to be kaown as the committee on Federal Relations.

A bill to prevent the destruction of Ginseng in the mountains of North Carolina, passed its second and third readings under a suspension of the rules.

On motion of Mr. Crawford, of Rowan, the House adjourned.

SENATE.

SATURDAY MORNING, Jan. 26, 1867.

RESOLUTIONS AND BILLS.

Mr. Wiggins, a resolution instructing the committee on the Judiciary to inquire into the expediency of passing some law empowering Executors, Administrators and Guardians, to compromise claims with persons who may be indebted to their wards and estates, and to report by bill or otherwise. Adopted.

On motion of Mr. Covington, the rules were suspended and the resolution in favor of the county of Stanly was taken up and passed its second reading. (This resolution asks a loan of $3,000, to relieve the needy of the county.) On its third reading, Mr. Robins offered to amend the bill by inserting any other counties which may be in a similar condition. Whereupon Mr. Leach stated he should like to put himself right on this question. He should oppose the amendment, because no other county had appealed for assistance. If the citizens of Randolph are represented as being in a starving condition he would gladly vote to assist them. The yeas and nays were called on the amendment and it was lost by a vote of 21 to 14.—Mr. Wilson offered an amendment which was adopted. The question recurring on the passage of the resolution, on motion of Mr. Robins, the yeas and nays were called and the resolution passed by a vote of 26 to 11.

On motion of Mr. Covington the rules were suspended and the resolution granting aid to the counties of Union and Chatham were taken up.—Mr. Covington stated that the only object he had in view in taking it up was to get rid of it, as his people had requested its withdrawal although their condition was as needy as he had represented it. Yet they thought the amount asked for would not be sufficient to accomplish much and might be the means of doing harm.

A message was received from the House transmitting an engrossed bill to amend 5th chapt. of the Revised Code, entitled apprentices. On motion of Mr. Berry, the rules were suspended, and the bill passed its several readings.

Also a bill to prevent the destruction of Ginseng in the State of North Carolina.

On motion of Mr. Love, the rules were suspended, and the bill passed it several readings.

PRIVATE BILLS.

On motion of Mr. Lloyd, the rules were suspended, and the bill to incorporate the Bladen Land Company was taken up, passed its several readings.

On motion of the same the rules were suspended, and the bill to incorporate the Bladen Manufacturing Company was taken up and passed its several readings.

On motion of Mr. Thornton, the rules were suspended, and the bill to amend the charter of the town of Warrenton was taken up and passed its several readings.

On motion of Mr. Avery, the Senate adjourned until half past 10 o'clock Monday morning.

HOUSE OF COMMONS.

SATURDAY, January 26, 1867.

The following bills were introduced viz:

By Mr. Howe, a bill to amend section 6, chap. 90 Revised Code. (Authorizes Guardians to invest funds belonging to their wards, in bonds and other securities of the United States.)

By Mr. Davidson a bill to amend the charter of Cheowa Turnpike, so as to establish a Ferry or Bridge across Tennessee River.

By Mr. Whitfield a bill to amend an act, entitled an act to prevent enticing servants from fulfilling their contracts, or harboring them.

By Mr. Murrell, a bill to amend the charter of the town of Jacksonville, in Onslow county. (This bill passed its several readings under a suspension of the rules.)

By Mr. McKay, a bill giving to the County and Superior Courts authority to sentence criminals to work the public roads. Also a bill to authorize the Public Treasurer to negotiate a loan for the relief of the Treasury, and to establish a North Carolina Savings Bank. (Authorizes the Public Treasurer to borrow, in Europe, a sum not exceeding ten millions of dollars, and to issue, for the payment of the same, the coupon bonds of the State running thirty years, the coupon bearing — per cent. interest per annum, payable semi-annually, said bonds not to be sold for less than eighty-five cents on the dollar. The bill creates a corporation by the name of the North Carolina Savings Bank, to be located in the city of Raleigh—authorizes the State to subscribe from the loan negotiated, five millions of dollars to the capital stock of said bank in shares of $100 each, individual corporations to subscribe a like amount, constituting a capital stock of ten millions.

By Mr. Bryson, a bill to amend the charter of the Western N. C. R. R.

By Mr. Simpson, a bill to tax fire-arms kept for any other purpose than for military use.

ON PRIVATE CALENDAR.

The following resolutions were rejected: One in favor W. J. Murray, sheriff of Alamance county; in favor of Joseph Cobb, sheriff of Edgecombe county; in favor of Samuel Eagle; in favor of E. B. Tabb & Co., and in favor of Robert Pynum, of Wilson county.

The last of these was subsequently reconsidered and recommitted.

ON GENERAL CALENDAR.

A bill to amend sec. 12, chapter 118 Revised Code, entitled "Widows," and a bill to tax Revenue Stamps in bills of Costs, passed their third reading.

A bill allowing fees to Justices of the Peace was put on its third reading.

Messrs. Peebles, Waugh and Richardson urged its passage. Messrs. Dargan, Latham, of Craven, and Allen opposed it.

On motion of Mr. Richardson, the bill was amended by the addition of a proviso, that where the party convicted shall be unable to pay the Magistrates' costs, the same shall *not* be taxed as costs of the State.

The bill passed its third reading.

An engrossed bill from the Senate authorizing the Commissioners of Jones county to sell the jail lot in said county, passed its several readings.

Mr. Williams, of Pitt, by leave, introduced a resolution that the committee on Propositions and Grievances enquire as to the expediency of reporting a bill empowering the several County Courts to regulate the fees of Attorneys and Counsellors at law. Laid on the table on motion of Mr. McNair.

The House then adjourned.

SENATE.

MONDAY MORNING, Jan. 28, 1867.

The Speaker designated Messrs. Hall, Willey and Cowles as the committee on Federal Relations.

Mr. Brown, from the committee on the Judiciary to whom was referred a bill to amend the Constitution of the State, reported a substitute for the same, which was ordered to be printed.

RESOLUTIONS AND BILLS.

Mr. Gash, a bill to secure the right of redemption for lands sold under execution. Ordered to be printed and referred to the committee on the Judiciary.

A communication relative to the Washington mission, addressed to the Governor, from Hon. Bedford Brown, was read for the information of the Senate.

Mr. Leach arose to a question of privilege. He read from the *Standard*, quoting from the Charlotte *Democrat*, an attack made on himself charging him with being an old political trickster and office-seeker.

He regretted that the Editor of the *Standard* had seen proper to quote, with seeming commendation, statements so utterly destitute of truth; and then proceeded to vindicate himself.

On motion of Mr. Hill, the bill to provide artificial arms, or commutation in lieu there of, when the limb cannot be worn, was taken up under the suspension of the rules, passed its second reading, amended on its third reading. Mr. Harris, of Rutherford, called for the yeas and nays, and on motion of Mr. Hall, it was referred to the committee on Propositions and Grievances.

HOMESTEAD BILL.

The bill granting freehold homesteads to the citizens of this State being the special order, was taken up, amended, and the question recurring on the passage of the bill on its third reading, on motion of Mr. Wilson, the yeas and nays were called and it passed by a vote of 38 to 6, and ordered to be engrossed.

On motion of Mr. McRae, the rules were suspended and the bill to incorporate the Edinburg Medical College in the county of Robeson, was taken up and passed its second reading, and on motion of Mr. Avery, it was re-committed to the committee on Education, and ordered to be printed.

On motion of Mr. Love, the rules were suspended and the bill providing for the relief of the estate of the late Hon. L. O'B. Branch, was taken up and referred to the committee on Claims.

On motion of Mr. Avery, the rules were suspended and the bill to protect laudlords against insolvent tenants was taken up, ordered to be printed and made the special order at 12 o'clock Wednesday next.

Mr. Avery, by leave, introduced a resolution proposing to raise a joint select committee to take into consideration the policy of remodeling the Judicial system of North Carolina in such a manner as to make twelve Judicial Districts of the State and three divisions of four districts each. Adopted.

UNFINISHED BUSINESS.

Bill to protect property sold under execution from sacrifice. This bill was discussed at considerable length by Messrs. Covington and Speed, Mr. Covington making the opening speech. He favored the bill in its original form, but felt bound to oppose it as it had been amended. If the Senate would agree to modify it to suit his views he would cheerfully support it, and offered an amendment which was adopted. Mr. Speed made a strong and touching appeal in support of the bill, Its further consideration was postponed for the present, and

On motion of Mr. Wiggins, the Senate adjourned until to-morrow at 10½.

HOUSE OF COMMONS.

MONDAY, Jan. 28th, 1867.

Dr. P. T. Henry, Commoner from Bertie, appeared and was qualified.

On motion of Mr. Cowan, the consideration of the special order for 11 o'clock to-day—viz: his "Resolutions in relation to the Public Debt," was postponed until Wednesday next.

RESOLUTIONS INTRODUCED.

By Mr. Whitfield, a resolution in regard to testing the loyalty of the Cotton Tax.

By Mr. Stevenson, Resolutions proposing a Constitutional Convention.

By Mr. Peebles, a joint resolution of inquiry, requesting the opinion of the Supreme Court, now in session, as to the power of the General Assembly to repeal or modify the ordinance passed by the late Convention, commonly known as "the Stay Law."

Messrs. Peebles, Long and Davis addressed the House in support of the resolution.

Messrs. Dargan, Waugh and McKay opposed its passage. Pending the discussion of this resolution, the special order for 12 o'clock, viz: "a bill to establish a Penitentiary, was postponed, and made a special order for Tuesday, the 5th of February next.

On motion of Mr. Dargan, the resolutions under discussion were laid on the table.

BILLS.

By Mr. Latham, of Craven, a bill for the relief of the people of North Carolina.

By Mr. Rowan, a bill to incorporate the Wilmington Manufacturing Company.

By Mr. Whitfield, a bill to declare Tar River through the county of Edgecombe, a water course sufficient for a fence.

By Mr. Gorham, a bill to amend chap. 101, sect. 9 of the Revised Code.

By Mr. Dargan, a bill to exchange a certain amount of the stock in the North Carolina Railroad Company, with the Cheraw and Coalfield Railroad Company, and for other purposes.

By Mr. Foard, a bill to repeal an act, entitled an act to establish the rate of interest, ratified the 12th of march, 1866. Also a bill to incorporate Wilson Lodge No. 220, of Free and accepted Masons.

By Mr. McGougan, a bill allowing debtors the privilege of paying their old debts in State Bank money, or its equivalent in current funds.

By Mr. Patton, a bill to authorize the formation of the English and American Vine Growing and Manufacturing Company.

A message from the Senate announced the concurrence of that body in a proposition from the House, to raise a joint select committee on Federal Relations.

Messrs. McNair, Davis and Logan were appointed the House branch of this committee.

On motion of Mr. Waugh, resolutions in relation to Hon. Jefferson Davis, (introduced on Friday last, by Mr. Williams, of Martin,) were taken up and referred to this committee.

The House concurred in a message from the Senate proposing to raise a Joint Select Committee to consider the expediency of remodeling the Judicial system of the State, and then adjourned to the usual hour to-morrow.

SENATE.

TUESDAY, Morning, Jan. 29, 1867.

REPORTS OF COMMITTEES.

Mr. Cunningham, from the committee on Propositions and Grievances, to whom was referred sundry papers from the Ladies' Memorial Association of Richmond, Va., asking for an appropiation to aid in marking and protecting the graves of North Carolinians who fell in the late war and are buried near Richmond, reported at some length and recommended the passage of a resolution appropriating one thousand dollars from the Treasury of the State not otherwise appropriated, and that the Governor be authorized to forward the said sum to the proper authority, obtain a receipt for the same, and make a report to the next General Assembly.

Mr. Gash, from the committee on Claims, to whom was referred a bill for the relief of the estate of the late L. O'B. Branch, recommended its passage.

BILLS AND RESOLUTIONS.

Mr. Matthews, a bill to change the jurisdiction of the Courts and the manner of pleading therein. Ordered to be printed and referred to the committee on Propositions and Grievances.

On motion of Mr. Etheridge, the rules were suspended and the bill to amend an act for the better regulation of the town of Jackson in the county of Onslow, was taken up and passed its several readings.

A message was received from the House proposing to raise a Joint Select committee on the subject of *sine die* adjournment, which was laid on the table.

UNFINISHED BUSINESS.

Bill to protect property sold under execution from sacrifice came up, and Mr. Cowles offered an amendment, (provided this act does not include debts contracted since the 1st of May 1865,) on motion the yeas and nays were called and it was rejected by a vote of 25 to 17. Mr. Love then offered an amendment. (Provided, that this act shall not apply to notes or evidences of debt held by Guardians, Administrators or Executors of deceased persons as such, unless the creditor or heir to said estate shall be compelled to receive said property as a part or whole of his claim, at the price said Guardian, Administrator or Executor may have to pay for the same under the provisions of this act.) Mr. Leach opposed this amendment in a speech at length, and argued that the chief merit of the bill in its original form, is its protection to the widows and orphans of deceased soldiers.

Mr. Love replied, that his sympathies were with that class of people; he had been blessed with the honor of acting with those brave men, but he was opposed to any measure that looked to repudiation, or that was calculated to disgrace and injure the credit of the state. He had offered the amendment in good faith and hoped it would be adopted. The ayes and nays were then called and it was rejected by a vote of 22 to 21. Mr. McCorkle then offered an amendment (to the effect that at the end of the twelve months the defendants should give bond and security for the forthcoming of the property. Mr. Leach warmly and earnest opposed the amendment, contending that if the man was not willing to give three-fourths he ought not to have it. Mr. McCorkle urged the adoption of the amendment; held that if the bill passed in its present condition it would destroy every officer in the State, and he believed it to be unconstitutional, beyond doubt. The question being on the adoption of the amendment it was rejected. Mr. Avery then offered to amend by inserting, *Provided*, That this act shall not apply to persons so acting in a fiduciary capacity, when such person or persons shall be plaintiff; but such person acting in a fiduciary capacity, shall be permitted to purchase property in the names of persons entitled to the benefits of the estates subject to the approval of the Court of Pleas and Quarter Sessions, if he shall make payment therefor, in evidence of indebtedness held in the name of the person or persons for whom he is acting.

Mr. Leach opposed the amendment, believing it would destroy the bill. Mr. Avery insisted that if that would destroy the bill, it ought to be destroyed. The amendment was lost. The question arising on the passage of the bill, Mr. Hall arose and said he had not intended to say anything, but the discussion had placed those who had opposed the bill in a false position. No man more deeply sympathized with the widows and orphans of deceased soldiers than himself and those who voted with him, and none would go farther in helping them, but he had been influenced by different and higher motives; he believed it unconstitutional and would be injurious to public and private credit. After some further explanation, the vote was taken as follows:

YEAS.—Messrs. Adams, Battle, Barnes, Berry, Brown, Bulleck, Clark, Covington, Cowles, Cunnigham, Edwards, Etheridge, Ferebee, Harris, of Franklin, Johnston, Jones, Kelly, Koonce, Leach, Love, Lloyd, Marshall, Matthews, McLean, Moore, Paschal, Perkins, Richardson, Stead, Speed, Thompson, Thornton, Wiggins, Willey and Williams—35.

NAYS.—Messrs. Avery, Gash, Hall, Harris, of Rutherford, Hill, McCorkle, McRae, Robins and Wilson—9.

Mr. Jones moved to reconsider the vote of yesterday on the homestead bill. Mr. Hall moved that it be laid on the table. Before the question was taken, Mr. Paschal moved an adjournment, and the Senate adjourned.

HOUSE OF COMMONS.

TUESDAY, Jan. 29th, 1867.

Mr. Russ rose to a personal explanation, relative to his vote for U. S. Senator at the last session. He stated that Mr. Pool had deceived him as to his views concerning the Howard amendment and kindred matters, and he now regretted the vote he had given on that occasion.

Messrs. Rogers and Perry, of Wake, endorsed the statements of Mr. Russ, alleging that they also had been deceived as to Mr. Pool's views in the premises, and regretted having voted for him.

Mr. Henry defended Mr. Pool as a consistent opponent of the Howard amendment, and a man of honor.

BILLS AND RESOLUTIONS.

By Mr. Waugh, resolutions proposing the call of a Constitutional Convention. Referred to the committee on Federal Relations.

By Mr. Horton, of Watauga, a resolution of enquiry addressed to the Judiciary Committee, relative to the *status* of Freedmen, etc. Referred.

By Mr. Russ, a bill in relation to Hunting on the Sabbath.

By Mr. Holderby, a bill to incorporate the Rockingham and Henry Railroad Company.

By Mr. Crawford, of Macon, a bill to incorporate the American Industrial Association of North Carolina. Also, a bill for the relief of purchasers of vacant lands in the county of Macon.

By Mr. Chadwick, a bill to subject to entry the land covered by the waters of Long Lake in the county of Craven.

By Mr. Davis, a bill in relation to Deeds of Trust and Mortgages.

ON CALENDAR—BILLS ON SECOND READING.

A bill to repeal certain acts, heretofore passed, defining the powers of the County Courts, in levying taxes for county purposes, was laid on the table.

A bill to amend the charter of the Albemarle Swamp Land Company, passed its 2nd and 3rd readings.

The special order for 12 o'clock to-day, being the Revenue Bill, it had its first reading, and was then postponed until Thursday next, on motion of Mr. Harper.

A bill to amend sec. 71, chapter 31 of the Revised Code, passed its second readings. (Increases the pay of witnesses to $1 00.)

A bill to protect honest debtors, was laid on the table on second reading.

A bill to exempt certain articles from execution was also laid on the table.

A bill to abolish imprisonment for debt, was discussed. Messrs. Dargan, McKay, Latham, of Washington, Richardson, and Latham, of Craven, warmly supported it, and it was opposed by Mr. Long. It was amended and finally referred to a select committee.

A message was received from the Governor transmitting a petition from citizens of Granville county, praying the establishment of a warehouse at Henderson, N. C., for the storage of Tobacco, and the appointment of Inspectors. Sent to the Senate.

The House then adjourned.

PRESIDENT'S MESSAGE.

Message of the President of the United States, Returning to the Senate a Bill Entitled "An Act to Admit the State of Colorado into the Union."

To the Senate of the United States:

I return to the Senate, in which House it originated, a bill entitled "an act to admit the State of Colorado into the Union," to which I cannot, consistently with my sense of duty, give my approval. With the exception of an additional section, containing new provisions, it is substantially the same as the bill of a similar title passed by Congress during the last session, submitted to the President for his approval, returned with the objections contained in a message bearing date the 15th of May last, and yet awaiting the reconsideration of the Senate.

A second bill, having in view the same purpose, has now passed both Houses of Congress and been presented for my signature. Having again carefully considered the subject, I have been unable to perceive any reason for changing the opinions which have already been communicated to Congress. I find, on the contrary, that there are many objections to the proposed legislation, of which I was not at that time aware, and that, while several of those which I then assigned have in the interval gained in strength, yet others have been created by the altered character of the measure now submitted.

The Constitution under which this State Government is proposed to be formed, very properly contains a provision that all laws in force at the time of its adoption and the admission of the State into the Union shall continue as if the Constitution had not been adopted. Among those laws is one absolutely prohibiting negroes and mulattoes from voting. At the recent session of the Territorial Legislature a bill for the repeal of this law, introduced into the council, was almost unanimously rejected; and the very time when Congress was engaged in enacting the bill now under consideration, the Legislature passed an act excluding negroes and mulattoes from the right to sit as jurors. This bill was vetoed by the Governor of the Territory, who held that by the laws of the United States negroes and mulattoes are citizens and subject to the duties as well as entitled to the rights of citizenship. The bill, however, was passed, the objections of the Governor to the contrary, notwithstanding, and is now a law of the Territory. Yet in the bill now before me, by which it is proposed to admit the Territory as a State, it is provided that "there shall be no denial of the elective franchise or any other right, to any person, by reason of race or color, excepting Indians not taxed." The incongruity thus exhibited between the legislation of Congress and that of the Territory, taken in connection with the protest against the admission of the State, hereinafter referred to, would seem clearly to indicate the impolicy and injustice of the proposed enactment.

It might indeed be a subject of grave inquiry, and doubtless will result in such inquiry if this bill becomes a law, whether it does not attempt to exercise a power not conferred upon Congress by the Federal Constitution. That instrument simply declares that Congress may admit new States into the Union. It nowhere says that Congress may make new States for the purpose of admitting them into the Union, or for any other purpose; and yet this bill is as clear an attempt to make the institutions as any in which the people themselves could engage.

In view of this action of Congress, the House of Representatives of the Territory has earnestly protested against being forced into the Union, without first having the question submitted to the people. Nothing could be more reasonable than the position which they thus assume; and it certainly cannot be the purpose of Congress to force upon a community, against their will, a government which they do not believe themselves capable of sustaining.

The following is a copy of the protest alluded to, as officially transmitted to me:

"Whereas it is announced in the public prints that it is the intention of Congress to admit Colorado as a State into the Union. Therefore—

"Resolved by the House of Representatives of this Territory, That representing, as we do, the last and only legal expression of public opinion on this question, we earnestly protest against the passage of a law admitting the State without first having the question submitted to a vote of the people, for the reasons—first, that we have a right to a voice in the selection of the character of our government; second, that we have not a sufficient population to support the expenses of a State government. For these reasons we trust that Congress will not force upon us a government against our will."

Upon information which I considered reliable, I assumed, in my message of the 15th of May last, that the population of Colorado was not more than thirty thousand, and expressed the opinio that this number was entirely too small either to assume the responsibility or to enjoy the privileges of a State.

It appears that previous to that time, the Legislature, with a view to ascertain the exact condition of the Territory, had passed a law authorizing a census of the population to be taken. The law made it the duty of the assessors in the several counties to take the census in connection with the annual assessments, and in order to secure a correct enumeration of the population, allowed them a liberal compensation for the service by paying them for every name returned, and added to their previous oath of office an oath to perform this duty with fidelity.

From the accompanying official report it appears that returns have been received from fifteen of the eighteen counties into which the State is divided, and that their population amounts in the aggregate to twenty-four thousand nine hundred and nine. The three remaining counties are estimated to contain three thousand, making a total population of twenty-seven thousand nine hundred and nine (27,909).

This census was taken in the summer season, when it is claimed that the population is much larger than at any other period, as in the autumn miners in large numbers leave their work and return to the east, with the results of their summer enterprise.

The population, it will be observed, is but slightly in excess of one-fifth of the number required as the basis of representation for a single Congressional district in any of the States, that number being 127,000.

I am unable to perceive any good reason for such great disparity in the right of representation; giving, as it would, to the people of Colorado not only this vast advantage in the House of Representatives but an equality in the Senate, where the States are represented by millions.—With perhaps a single exception, no such inequality as this has ever before been attempted. I know that it is claimed that the population of the different States at the time of their admission has varied at different periods; but it has not varied much more than the population of each decade, and the corresponding basis of representation for the different periods.

The obvious intent of the Constitution was that no State should be admitted with a less population than the ratio of a Representative at the time of application. The limitation, in the second section of the first article of the Constitution, declaring that "each State shall have at least one Representative," was manifestly designed to protect the States which originally composed the Union from being disproportionately represented in the lower population, of a voice in the popular branch of Congress, and was never intended as a warrant to force a new State into the Union with a representative population far below that which might at the time be required of sister members of the confederacy. This bill, in view of the prohibition of the same section, which declares that "the number of Representatives shall not exceed one for every thirty thousand," is at least a violation of the spirit, if not the letter of the Constitution.

It is respectfully submitted that however Congress, under the pressure of circumstances, may have admitted two or three States with less than a representative population at the time, there has been no instance in which an application for admission has ever been entertained when the population as officially ascertained, was below thirty thousand.

Were there any doubt of this being the true construction of the Constitution, it would be dispelled by the early and long continued practice of the Federal Government. For nearly sixty years after the adoption of the Constitution, no State was admitted with a population believed at the time to be less than the current ratio for a representative; and the first instance in which there appears to have been a departure from the principle was in 1845, in the case of Florida. Obviously the result of sectional strife, we would do well to regard it as a warning of evil rather than as an example for imitation; and I think candid men of all parties will agree that the inspiring cause of the violation of this wholesome principle of restraint is to be found in a vain attempt to balance those antagonisms which refused to be reconciled except through the bloody arbitrament of arms. The plain facts of our history will attest that the great and leading States admitted since 1845, viz: Iowa, Wisconsin, California, Minnesota and Kansas, including Texas, which was admitted that year, have all come with an ample population for one representative, and some of them with nearly or quite enough for two.

To demonstrate the correctness of my views on this question, I subjoin a table containing a list of the States admitted since the adoption of the Federal Constitution, with the date of admission, the ratio of representation, and the representative population when admitted, deduced from the United States census tables—the calculation being made for the period of the decade corresponding with the date of admission:

States.	Admitted.	Ratio.	Population.
Vermont	1791	33,000	92,220
Kentucky	1792	33,000	95,638
Tennessee	1796	35,000	73,864
Ohio	1802	35,000	82,443
Louisiana	1812	35,000	75,212
Indiana	1816	35,000	98,110
Mississippi	1817	35,000	53,677
Illinois	1818	35,000	46,274
Alabama	1819	35,000	111,150
Maine	1820	35,000	298.335
Missouri	1821	35,000	69,260
Arkansas	1836	47,700	65,175
Michigan	1837	47,700	158,773
Florida	1845	70,680	57,351
Texas	1845	70,680	*143,327
Iowa	1846	70,680	132,572
Wisconsin	1848	70,680	250,497
California	1850	90,680	92,597
Oregon	1858	93,492	44,630
Minnesota	1858	93,492	138,909
Kansas	1861	93,492	107,206
West Virginia	1862	93,492	349,628
Nevada	1864	127,000	Not known

*1850.

Colorado, which it is now proposed to admit as a State, contains, as has already been stated, a population less than twenty-eight thousand, while the present ratio of representation is one hundred and twenty-seven thousand.

There can be no reason, that I can perceive, for the admission of Colorado, that would not apply with equal force to nearly every other Territory now organized, and I submit whether, if this bill becomes a law, it will be possible to resist theological conclusions that such Territories as Dacotah, Montana and Idaho must be received as States, whenever they present themselves, without regard to the number of inhabitants they may respectively contain. Eight or ten new Senators and four or five new members of the House of Representatives would thus be admitted to represent a population scarcely exceeding that which, in any other portion of the nation, is entitled to but a single member of the House of Representatives, while the average for two Senators in the Union, as now constituted, is at least one million of people. It would surely be unjust to all other sections of the Union to enter upon a policy with regard to the admission of new States which might result in conferring such a disproportionate share of influence in the National Legislature upon communities which, in pursuance of the wise policy of our Fathers, should for some years to come be retained under the fostering care and protection of the National Government. If it is deemed just and expedient now to depart from the settled policy of the nation during all its history and to admit all the Territories to the rights and privileges of States, irrespective of their population or fitness for such government, it is submitted whether it would not be well to devise such measures as will bring the subject before the country for consideration and decision. This would seem to be evidently wise, because as has already been stated, if it is right to admit Colorado now, there is no reason for the exclusion of the other Territories.

It is no answer to these suggestions that an enabling act was passed authorizing the people of Colorado to take action on this subject. It is well known that that act was passed in consequence of representations that the population reached, according to some statements, as high as eighty thousand, and to none less than fifty thousand, and was growing with a rapidity which by the time the admission could be consummated, would secure a population of over a hundred thousand.—These representations prove to have been wholly fallacious, and in addition the people of the Territory, by a deliberate vote, decided that they would not assume the responsibilities of a State government.

By that decision they utterly exhausted all power that was conferred by the enabling act; and there has been no step taken since in relation to the admission that has had the slightest sanction or warrant of law. The proceeding upon which the present application is based was in the utter absence of all law in relation to it, and there is no evidence that the votes on the question of the formation of a State government bear any relation whatever to the sentiment of the Territory. The protest of the House of Representatives, previously quoted, is conclusive evidence to the contrary.

But if none of these reasons existed against this proposed enactment, the bill itself, besides being inconsistent in its provisions in conferring power upon a person unknown to the laws and who may never have a legal existence, is so framed as to render its execution almost impossible. It is indeed a question whether it is not in itself a nullity. To say the least, it is of exceedingly doubtful propriety to confer the power proposed in the bill upon the "Governor elect," for as by its own terms, the Constitution is not to take effect until after the admission of the State, he in the meantime has no more authority than any other private citizen. But even supposing him to be clothed with sufficient authority to convene the Legislature, what constitutes the "State Legislature," to which is to be referred the question of submission to the conditions imposed by Congress? Is it a new body to be elected and convened by proclamation of the "Governor elect," or is it that body which met more than a year ago under the provisions of the State Constitution?

By reference to the second section of the schedule, and to the eighth section of the fourth article of the State Constitution, it will be seen that the term of the members of the House of Representatives and that of one-half of the members of the Senate expired on the first Monday of the present month. It is clear that if there were no intrinsic objections to the bill itself in relation to the purposes to be accomplished, this objection would be fatal; as it is apparent that the provisions of the third section of the bill to admit Colorado have reference to a period and state of facts entirely different from the present, and affairs as they now exist; and if carried into effect must necessarily lead to confusion.

Even if it were settled that the old, and not a new body were to act, it would be found impracticable to execute the law, because a considerable number of the members, as I am informed, have ceased to be residents of the Territory, and in the sixty days within which the Legislature is to be convened after the passage of the act, there would not be sufficient time to fill the vacancies by new elections, were there any authority under which they could be held.

It may not be improper to add that if these proceedings were all regular, and the result to be obtained were desirable, simple justice to the people of the Territory would require a longer period than sixty days within which to obtain action on the conditions proposed by the third section of the bill. There are, as is well known, large portions of territory with which there is and can be no general communication, there being several counties which from November to May, can only be reached by persons traveling on foot, while with other regions of the territory occupied by a large portion of the population there is very little more freedom of access. Thus, if this bill should become a law, it would be impracticable to obtain any expression of public sentiment in reference to its provisions, with a view to enlighten the Legislature, if the old body were called together, and of course equally impracticable to procure the election of a new body. This defect might have been remedied by an extension of the time and a submission of the question to the people, with a fair opportunity, to enable them to express their sentiments.

The admission of a new State has generally been regarded as an epoch in our history, marking the onward progress of the nation; but after the most careful and anxious inquiry on the subject, I cannot perceive that the proposed proceeding is in conformity with the policy which, from the origin of the Government, has uniformly prevailed in the admission of new States. I therefore return the bill to the Senate without my signature.

ANDREW JOHNSON.

WASHINGTON, Jan. 23, 1867.

LATEST NEWS BY TELEGRAPH.

More Trouble among the Negroes on the Sea Island Plantations.

SAVANNAH, Jan. 30—P. M.

There is further trouble on the Cheeves plantation, South Carolina. The negroes still refuse to vacate or contract. There has been a collision between them and the authorities, in which Lieut. Lemon, of the Bureau, was shot in the arm. He returned the fire, killing a negro. It is reported that the negroes have Capt. Brandt a prisoner.—Col. Sibley, with seventy men, has gone to the scene of trouble.

Receipts of Cotton at Mobile.

MOBILE, Jan. 30—P. M.

The receipts of cotton since Sept. 1st to date were 1,055,000 bales.

Markets.

NEW YORK, Jan. 30—6 P. M.

Gold 135. Five-twenties of '62, 107¾; new issue 104¾. Ten-forties 99¼. Seven-thirties (all series) 104¼. Missouri Sixes 92¼. Cotton is quiet but firm—sales of 1,000 bales; middling uplands 34 cents. Flour irregular, and 15@25 cents lower; State $9 20@$11 75; Ohio $10 90@$13 50; Western $9 20@$12 50; Southern dull and drooping at $11 50@$16 25. Wheat dull and 3@5 cents lowe. Corn 2@3 cents lower—sales of 52,000 bushels of mixed Western at $1 10@$1 13. Oats 1 cent lower; Western 60@63 cents; State 67@69 cents.—Beef steady. Pork heavy and lower; New Mess $20 25; Old $19; Prime $16 62½@$17. Lard steady. Whiskey quiet. Groceries quiet and dull. Wool steady—sales of 200,000 lbs. at 43@45 cents for domestic fleece; 74@75 cents for pick lock; 28@34 cents for Texas; 47@50 cents for pulled, and 30 cents for California. Freights to Liverpool quiet; Cotton ¼@5-16d. Corn 7d.

[SECOND DISPATCH.]

NEW YORK, Jan. 30—10 P. M.

Money closed unchanged and easy at 6@7 ₱ cent. On government's and stock collaterals there are prime discounts at 7@8 ₱ cent. Gold closed quiet at 134¾. Foreign exchange quiet.—Government's quiet and steady. Stocks less active and lower at last quotations of open board, but after call the market was firmer. Petroleum and mining stocks quiet and firm.

BALTIMORE, Jan. 30—6 P. M.

Cotton firm; Middling Uplands 34 cents. Coffee steady. Flour drooping. Wheat—no sales.—Corn firmer. Oats—large sales at 55@60 cents. Bacon scarce. Mess Pork $22.

Labor Contracts.

Major General Howard, commissioner of the Freedmen's Bureau, has issued the following order to each commissioner:

"Hereafter, and until further orders, no fees or charges will be exacted by officers or agents of this bureau for services they may render in connection with contracts between freed people and their employers, either in the examination, approval, witnessing or registry of such contract, or otherwise.—Please instruct your subordinates to comply with this requirement. Labor contracts should be in writing. If possible, persuade laborers and employers not to rely upon mere verbal agreements, they occasion much confusion. Bureau agents are required to do all in their power to secure fair contracts for the freed people, and in offering their services for that purpose they should let it be understood that they will be rendered without charge to the parties concerned."

MARRIED.

On Myrtle Grove Sound, on the 24th inst., by John J. Conoley, Esq., Mr. CHARLES M. WILLIAMS, to Miss AMANDA B MOTT.

DIED,

At Patrick Murphy's, in Sampson county, on the 25th inst., of pneumonia, GEORGE WASHINGTON, a laborer, about 60 years of age, a little squint eyed. He came to my place about September last, and stated that he came from Jones and Carteret counties; had lived about Kinston and in Craven. Whether his real or assumed name I cannot tell. He was a hard-working, industrious man. Let the "

THE WILMINGTON JOURNAL.

WILMINGTON, N. C.,

SATURDAY, JANUARY 26, 1867.

The Western Railroad Extension.

We are glad that our article in the issue of the 19th instant, upon the subject of the extension of the Western (Coalfields) Railroad has brought out a reply, as the discussion of this subject must result in good to our city. Our people must not only become impressed with the importance of this extension to Wilmington, but also to determine the direction the road should take. We have previously demonstrated that the interest of Fayetteville and Wilmington are identical in this matter, and there cannot possibly be a conflict between them in any scheme based upon their real welfare.

Our correspondent, in advocating Salisbury as the best point of connection with the North Carolina Railroad, seems to have overlooked the fact that we admitted the same thing ourselves, but that as we expected, with much more certainty and at a much earlier period, to connect Wilmington with the vast extent of country lying West of Salisbury which will be developed by the extension and completion of the Western North Carolina Railroad to the Tennessee line than this road gives promise, we thought a connection with another point probably more desirable. But we cannot agree with him in saying that after a connection is made with the Western North Carolina Railroad at Salisbury, that "the products of all that rich section of country in the valley of the Yadkin, and on the line west of that point, could be placed directly on our line of road *without danger of being intercepted by rival lines.*" The Western North Carolina Railroad would not form connections or make through tariffs with the Fayetteville and Western Railroad at Salisbury, which would be denied to the North Carolina Railroad, and consequently, Norfolk would be a very formidable rival at Salisbury and points west of that town. And, besides, if we could not command "the rich products of all that rich section of country in the valley of the Yadkin and on the line west of that point" (Salisbury,) by a connection at Newton, from Lincolnton, we certainly could not control it by a less direct route, and surely we would not be guilty of the expensive folly of building eighty or ninety miles of railroad to place ourselves in competition with other markets for the trade of a *very limited* section of country immediately around Salisbury.

Our correspondent fears that if this road be extended from High Point to the northern border of Surry county, on the Virginia line, it might be *tapped* by a road from Danville, thus placing the merchants of Richmond and Petersburg some fifty or sixty miles nearer that section of country than those of Wilmington. We can only reply in regard to distance by referring him to another portion of his own letter.—Fayetteville is nearer, by fifty or seventy miles, than these two cities, and the expense, "with a hundred miles of water transportation at this end of the line would be vastly in *our* favor." And as for *tapping*, we reply by referring him to still another portion of his letter, and say "we can readily see that it will not be advancing the interests of the" *Western Railroad* (Extension) "to permit any freight once placed upon its trains, *no th* of the intersection, to leave it at that point, and that, by discriminating tariff, and other measures suggested by the spirit of competition," they would get but a small portion of it. Besides, Richmond has already a connection with Wytheville, and would hardly build a road from Danville to intersect with this, a distance of sixty or seventy-five miles, for the bare pittance which she could command by so doing.

We are informed by a distinguished citizen of Surry county, that very large sums of money will be subscribed in that county to build a road from High Point to the Virginia line, and that a bill to charter such a road will be introduced in the Legislature in a few days to connect, at its northern terminus, with the proposed road already before the Virginia Legislature, to run from the North Carolina line to Wytheville. From information which we have, we feel satisfied that, should this Western Railroad be extended eighty or ninety miles—the distance to Salisbury—across the North Carolina Railroad at High Point, its completion to Wytheville would be assured.

We urge these views with no other motives than for the welfare of Wilmington. We desire to arouse our people to the great importance of the extension of this road, and are ready to assist in giving our aid to carry it to that point which the common prosperity of those most interested in its completion demands. We have our opinions upon this subject, which we have freely given, and will be glad to publish the opinions of others, whether they agree or differ with us. Let us discuss this matter fully and freely. It is the more necessary to do so, as the meeting held on the 22d inst., was called merely to accept the act of the Legislature, and a future meeting will decide the question of location, or the act gives this power to the President and Board of Directors. We hope, therefore, the matter will be agitated in our community until every citizen will become acquainted with its importance, and will form his own opinion, so that when it is to be decided, our representatives may have the benefit of all the information possible, and be strengthened by the united efforts of their people.

Swamp Lands and Immigration.

North Carolina has no voice in national affairs, and it is perhaps well for our honor that we have not the privilege of taking part in the utter destruction of constitutional liberty in our country, and in establishing a temporary reign of anarchy upon which will rise despotism. It is not our purpose to discuss subjects here which we cannot enforce by argument in the national councils, but merely make these remarks to direct the attention and energies of all to the practical interests of our own State.

While we believe in individual enterprise, we are also satisfied that wise legislation should foster individual efforts in developing the great resources of our State. It is hardly necessary to present the fact of our poverty to impress the importance of immense labor to put our State in the high road of prosperity, but we wish to direct inquiry as to the means of raising our people from almost indigence to a material independence.

Our Legislature has re-assembled, and among other matters which have been brought to its attention is the State's means for educational purposes. The report upon that subject is too explicit to need comment. The method of making available what remains of that fund is a question to be solved by the wisdom of the General Assembly.

The great want of our State is labor; and we must recollect that one class only will not answer. Our legislators may well ponder the ways and means by which a supply of agriculturists, mechanics, miners and other laboring population, may be brought into every part of the State, particularly into that which is under its immediate control. We have only to look to the policy of the West in this direction, and the great results may be seen at a glance. Liberal grants have been made to actual settlers, and in a few years whole districts of country, where not an inhabitant dwelt, have become populous, and the lands which remained have risen in value from four-fold to twenty times the original price. This policy, started by the State, would satisfy individual land-owners, not only of its general benefit to the State, but of its greater productive interest to them. He who has five, two or one thousand acres of land, four-fifths of which now lies uncultivated and wasting from his grasp by enormous taxation, will see the wisdom of selling, at even nominal prices, one-half of what he owns, when in so short a time the remainder will be so greatly enhanced in value.

To obtain proper results, first let legislation be wise and liberal, and then let the present population realize the necessity for a change on its part from a course which apparently leads to a speedy gain, but which as surely and more rapidly carries its followers to pecuniary ruin.

Now is a most favorable moment to turn immigration into our State. The whole of Europe is threatened with war, and the industrious and thrifty farmers and mechanics of every European State will seize with avidity the opportunity offered of a free home and exemption from military conscription. Our climate is genial and salubrious, and the variety of its temperature, together with the great diversity of soil and productions, offer inducements by which immigrants from every region may be drawn to our midst. From the seacoast to the mountains, the vine-growers of France and Germany may enjoy homes as inviting as any their native lands afford; the hardy Scott, from either the High or Lowland, may find a counter-part to his own country, excepting in natural advantages, in which our State is incomparably ahead. The Irishman, discontented at home, may here realize the liberty he thinks is denied him there, and will receive a remuneration for his labor nowhere else offered.

We appeal to our law-makers to take this subject in hand, and with wisdom and energy so to legislate as to insure a rapid influx of moral and industrious population. But while they are striving to improve the material prosperity of all, let us here express the hope that the State may not stigmatize itself by being forgetful of, or indifferent to, past patriotism; but that she will foster that greatest virtue, without which a people can be neither great nor good.

Negro Disturbance near Savannah.

A good deal of excitement has lately existed near Savannah, on account of the refusal of the negroes on Delta Plantation, opposite that city, refusing to either contract for another year, or to leave the lands of the owners, they having been induced to believe they had a right to them. We have not noticed the affair earlier for the simple reason that we preferred to wait the result of the investigation, which we believed would be forthcoming in due time. The Savannah *Republican* of the 23d inst., contains the following:

"The arrival of Gen. Scott from Charleston, yesterday morning, had the effect of adjusting the difficulties on Delta Plantation. The General proceeded to the island, and after addressing the negroes for nearly an hour, explaining the orders from the Freedmen's Bureau, informed them that it would be necessary for them to either contract or leave the plantation. The colored people appeared delighted to see the General, and freely consented to either contract or leave the lands by Monday next. The poor freedmen have been duped and imposed upon by an unscrupulous, reckless and designing man, who has sought notoriety, and would doubtless be glad to have some action taken either by the civil or military authorities, which would place him in the light of a bleeding martyr. Gen. Scott has wisely refused to grant this request by thus summarily disposing of the matter."

The Savannah *News* has the following additional particulars:

"Our reporter understands from General Scott that the whole trouble has been more imaginary than real, and that the only arms the negroes had were clubs. When he arrived on the plantation they met him without any show of resistance, but said they had been instructed that they could not be removed from the lands for two years. Some of them had been born on the plantation and thought they had a life estate in it. The General told them differently, informing them that the condition of things had changed; that they were now free to work where they pleased and for whom they pleased, but that they could not occupy the lands without the consent of the owner.

"After talking some two hours to the negroes, answering their questions and giving them some good advice, some of them expressed their willingness to contract with the present lessee of the place, and the others agreed to leave at the expiration of a week. The General has ordered Capt. Brandt to select three disinterested parties, who, in accordance with the law as it now stands, are to appraise the improvements made by the freedmen on the place, for which they are to be paid, and at the end of the week those wishing to remain will make contracts, and the others will leave the plantation."

We thank the Wilmington *Journal* for copying an article from our paper of last week in regard to the Rock Island Woolen Mills, in this place.—Not only are the people of this city interested in the success of this enterprise, but the South generally; and we hope other papers will assist in making the capacities of the Rock Island establishment known to the public.

Charlotte Democrat.

Our friend of the *Democrat* will always find the *Journal* ready to assist him in developing the resources of the State, and doing all we can to encourage and aid the Manufactories of North Carolina. We hope the day is not distant when the shelves of our merchants and the wharves of our city may be filled with the goods manufactured by the Cotton and Woolen mills of Charlotte, Fayetteville and other places. Then, indeed, will our oppressed people find relief, and *reconstruction* be accomplished.

Newspaper Changes.

Messrs. Keily & Branch, proprietors of the Petersburg *Index*, have recently disposed of that paper to Messrs. W. E. Cameron & G. A. Sykes. Mr. Cameron has assumed charge of the editorial department, which will in future be conducted by him. We take the following paragraph from his salutatory:

"Without passion and without fear I shall endeavor to represent the people whose support I ask—upholding Truth, though its banners be trailing and its defenders few; sustaining Right, though its assailants be legion and its cause seems lost."

Messrs. Keily & Branch have become associated with Mr. Thos. H. Wynne in the ownership of the Richmond *Examiner*, Mr. A. M. Keily assuming control of the editorial department. Heretofore this gentleman has been known to the press and people of the country as editor of the Petersburg *Index*, a paper which, under his management, has established a most favorable reputation. We feel satisfied that this change will be beneficial to the *Examiner*, and that, conducted by a gentleman of Mr. Keily's ability, it will achieve a reputation second only to that which it possessed during the war.

In his salutatory Mr. Keily says:

"I let me content myself with assuring the readers of the *Examiner* that its editor knows no higher earthly aspiration than the upholding of the rights, the interests and the honor of the Commonwealth—dearer to every true son in the desolation of to-day than ere the mother of States learned that bitterest of mortal lessons: 'How sharper than a serpent's tooth it is to have a thankless child.'"

W. J. Drummond, Esq., of Petersburg, Va., has taken charge of the "*State*" at Weldon, N. C. We wish him success.

For the Journal.

SHORT SERMONS BY A LAYMAN.

No. 3.

The Supreme Court of North Carolina, moved and seduced by the instigation of duty, but with a frightful disregard of consequences, has just turned loose upon a bankrupt community sixty or seventy young men with license to practice law. The only excuse offered for it being the fact that the State thereby raised a revenue of six or seven hundred dollars. The Medical Colleges, with even greater recklessness, have returned to the frightened public a battalion of young Doctors armed with knife and purge to "ply their vocation," and the Dental Colleges, also, have contributed a squad for skirmish duty who carry an arsenal of chloroform, forceps, gouges and files. In the name of a demoralized population, I solemnly protest against the whole business, and defiantly shake my fist at the frightful array. I earnestly pray for an injunction. I say, Stop It. Everybody will have to hide from the Sheriff, and if a man dares to open his mouth he will be in peril of taking castor oil, or having his teeth pulled.

How many mechanics have been turned out since the war? How many young men are preparing for practical business? How much true bone and sinew have we got?—North Carolina will be a manufacturing State in a few years. Who will be the engineers, machinists, chemists, &c., &c.?—It is a very respectable thing to be a lawyer or doctor, if you are a respectable lawyer or doctor—not otherwise—and I hope the young gentlemen above alluded to may all turn out to be such.—But it is not, even when one occupies a respectable position in his profession, a comfortable thing to be without business; and that will be the fate (I am sorry to say it) of at least half those who begin now. Why, a man will settle almost any way, now-a-days, before he will go to a lawyer; and he'll grunt a long time before he'll send for a doctor; and in either case, if he seeks the services of a professional man, he expects to pay with promises—which is very light diet for a family. The same amount of brains and energy, put into any other business, will produce more money than in either of the liberal professions. This is sure. A man of extraordinary capacity and untiring perseverance will succeed at anything, of course; but mediocrity, which is the common measure, will always find greater reward outside than inside a profession. The education of the youth of the South, too, was irreparably injured by the war—an obstacle to professional success almost insurmountable in the present condition of affairs.

The mechanic arts have been ignored by us. Slavery rendered labor degrading, and "the sweat of honest toil" was only thought of as giving out an exceedingly disagreeable odor. Necessity has forced labor upon us all, and is gradually investing it with dignity; but, conceal the fact as we may, our young men would rather sell dry-goods, or the like, at just enough to pay board, than to learn the best trade in the world or work a small farm. It is their misfortune—the result of education—not their fault; but it is the duty of every man to aid in effecting a change in this respect.

If North Carolina builds an Agricultural College, there ought to be more students there than at Chapel Hill. Four years at the latter, or, indeed, at any other academic institution, only enable a young man *to learn better* any profession or business than he could otherwise do. One year at the former, if the college is properly conducted, would make him a practical farmer, and a respectable agricultural chemist.—We want *producers*—not of the article proverbially attributed to poor men—but of something to eat, something to wear, and something to sell. Our young men being poor, will, doubtless, verify the proverb, but they are not generally supplying the wants just enumerated. Cuffee haunts them. The remembrance of Cuffee, as he was, is pleasant—the knowledge of Cuffee, as he is, is disgusting to them. They ought to forget that Cuffee ever was. They seem to be waiting for something to turn up; but they needn't wait; it won't. I appeal to the shade of the departed Micawber for the truth of the assertion. Things *never* turn up when a man is waiting for them. I've watched 'em a long time, and they invariably don't. There were at least a dozen fellows—big, hearty fellows that could bear the fatigue of waiting—who waited patiently *at home, four years*, for Southern independence to turn up, and see how *they* were disappointed!

The Virginia Stay Law.

The Richmond *Whig* says: "Learning that the decision lately rendered by Judge Meredith, pronouncing the stay law unconstitutional, has produced much uneasiness in the country, from an apprehension that proceedings to enforce the payment of debts will at once follow everywhere, we take occasion to say that the stay law is in force, and will be so until it is decided to be unconstitutional by the Supreme Court of Appeals, or is repealed by the Legislature, or expires by its own limitation. We are assured by gentlemen of the legal profession that the question cannot reach a decision in the Supreme Court in less than eighteen months."

Human opinion is but an unreliable affair. Half the great men who have figured in the world have been looked upon as nobodies by a certain class. Be what you will, you will be passed for stupid with many about you.

From the Raleigh Sentinel.

NORTH CAROLINA LEGISLATURE.

WEDNESDAY MORNING, Jan. 23, 1867.

The Senate was called to order at 11 o'clock, A. M.

On motion of Mr. Jones, of Wake, a message was sent to the House informing it of the organization of this body. Subsequently a message was received from the House informing the Senate of their readiness to proceed to business.

A message was received from the House proposing to raise a joint select committee to wait on the Governor. Concurred in. Also a message transmitting a resolution, authorizing the committee who was appointed to investigate the affairs of the North Carolina Railroad to administer oaths when they may deem it necessary. Concurred in.

Mr. Berry, a bill making provision for the payment of State bonds now due, and the interest on the debt of the State. Ordered to be printed and referred to the committee on Finance.

On motion of Mr. Gash, the rules were suspended and the bill to incorporate the Hoover Hill Mining Company, which was transmitted from the House, was read three times, and passed.

Mr. Love, from the Joint committee to wait on His Excellency, the Governor, reported that the committee had performed its duty and that His Excellency had no additional communication to make to his messages at the opening session.

Mr Mathews introduced the following Resolutions:

Resolved, That the Senate has learned with regret of the death of Ulysses Hand, Esq., late Senator from the county of Rockingham.

Resolved, That in his death the State has lost a citizen of the noblest impulses, and his county one of its most charitable men.

Resolved, That in respect to his memory the Senate do now adjourn, and that a copy of these resolutions be transmitted to the family of deceased.

Messrs. Brown and Covington made suitable remarks, and on motion of Mr. Berry, the resolutions were adopted and the Senate adjourned

HOUSE OF COMMONS.

WEDNESDAY, Jan. 23, 1867.

The House met pursuant to adjournment, the Speaker in the Chair.

A quorum being present, on motion of Mr. Waugh, the Senate was notified of the readiness of the House to proceed to the transaction of public business.

A similar message was received from the Senate.

Mr. B. M. Collins, commoner elect from Warren county, appeared and was qualified.

Mr. Murrill presented a memorial from citizens of Onslow county, praying that citizens of other counties be prohibited from fishing in the waters of New River in said county. Referred.

On motion of Mr. Hutchison, the Revenue Bill was made the special order of Tuesday next.

Mr. Foard presented a petition from the Trustees of Olin College, praying that the scrip for the establishment of an Agricultural and Mechanical College be bestowed upon said institution.—Referred.

Mr. Baker, a petition praying the incorporation of the town of Rocky Mount, Edgecombe county.

Mr. Hinnant introduced a resolution in favor of Jno. L. Banks, Tax Collector of Johnston county, allowing till March 1st, for the payment of taxes into the Public Treasury. This resolution passed its several readings under a suspension of the rules, having first been amended so as to extend like indulgence to the Sheriffs of Orange, Union and Brunswick, and (on motion of Mr. Everett) to the Tax Collector of Wayne.

Mr. Boyd introduced a resolution autorizing the committee appointed to investigate the affairs of the N. C. Railroad, to administer oaths in certain cases. Adopted.

Mr. Lowe presented a memorial from citizens of Davidson, praying a modification of the Stay Law, and the abolition of imprisonment for debt.

By Mr. Russ, a resolution instructing the Judiciary Committee to report a bill making it larceny to steal the bonds, coupons, treasury notes, certificates of deposit, stamps, fractional currency, &c., of the United States. Also that they report a bill altering the rules of evidence, so that the genuineness of a National Bank bill may be proven by the testimony of *experts*, without the necessity of proving hand-writing of President and Cashier. Adopted.

Mr. Baker, a resolution instructing inquiry by the committee on Agriculture, as to the expediency of a bill authorizing taxation of dogs for county purposes.

Mr. Waugh, from the committee appointed to wait on His Excellency, the Governor, reported that the Governor at present had no further communication to make.

Mr. Latham, of Craven, a bill to incorporate the New Berne Memorial Association.

Mr. Perry, of Carteret, a bill to consolidate the Atlantic, N. C. and Western N. C. Railroad Companies.

A communication from the Public Treasurer, presented by the Speaker, was sent to the Senate with a proposition to print.

Mr. Holderby, announcing the death, during recess, of Ulysses Hand, Senator from Rockingham, said:

MR SPEAKER:—Since our adjournment on the 24th ultimo, an all-wise Providence has seen fit to remove from our midst another member of this Legislature. Ulysses Hand, Esq., my colleague in the Senate, departed this life at his residence in the county of Rockingham, on Sunday, the 6th day of the present month.

When I parted with him at this place, only a few weeks since I fondly hoped, notwithstanding his delicate health, that upon the re-assembling of this body, he would have made one of our number. But here again, we have the proof of what has been so forcibly said by another, that "the spider's most attenuated thread is cord—is cable compared with the tenure by which man holds his earthly existence." But while his immortal spirit has taken its flight, his memory lives and will ever live in the affection of those who were the recipients of his unbounded benevolence.

From the commencement to the close of the late civil war, Ulysses Hand was assiduously engaged in writing his own history, which he did in terms more eloquent than language could portray—it was written, not in *words*, but in *deeds* more durable than brass or marble. During the late pitiless and intensely cold weather, my heart has been made almost to bleed when I have thought of the number of widows and orphans in his vicinity whom his charity had so long and so often relieved; nor were my sympathies abated when I reflected that there might not be left on earth another *Hand* to afford them succor.

Mr. Hand has left a son, a daughter and a long train of relatives and friends to mourn the loss of one whose kindness and generosity knew no limit.

Resolutions suitable to the occasion, have been passed in the Senate, and as a further mark of respect to the deceased, I move that this House do now adjourn until to-morrow morning at 11 o'clock. Adjourned.

SENATE.

THURSDAY MORNING, Jan. 24.

The Senate was called to order at 11 o'clock.

A Message was received from the House transmitting documents from the Public Treasurer, with a proposition to print the same. Concurred in.

BILLS ON CALENDAR.

Bill to establish freehold homesteads in this State came up on its third reading, and on motion of Mr. Berry, it was made the special order for Monday next at 12 o'clock.

Bill to amend an act to prevent enticing servants or harboring them, on its third reading, was amended so that the title may conform to the bill, and passed.

Bill to construe an act to establish a scale of depreciation of Confederate currency on its third reading. Passed.

Bill to protect landlords against insolvent tenants, on its third reading, on motion of Mr. Jones, of Wake, it was passed over informally.

Bill for the better suppression of the crime of stealing horses and mules, on third reading was amended, and the question recurring on the passage of the bill, on motion of Mr. Hall, the ayes and nays were called and the bill passed by a vote of 23 to 13.

Mr. Adams, by leave, introduced a bill to amend an act entitled an act more effectually to secure the maintenance of bastard children, and the payment of fines and costs on conviction in criminal cases; ordered to be printed and referred to the committee on the Judiciary.

Mr. Coward introduced a bill for the relief of guardians and minor children. Ordered to be reprinted and referred to the committee on the Judiciary.

A message was received from the House transmitting a resolution in favor of the Sheriffs of Union, Orange, Brunswick, and Tax Collectors of Wayne and Johnston counties. On motion of Mr. Berry, the rules were suspended and the resolution passed its several readings.

On motion of Mr. Moore, of Martin, the rules were suspended and a resolution authorizing the Public Treasurer to employ counsel in certain cases, was taken up and passed its several readings.

Resolution authorizing the Governor to make suitable arrangements for the preservation of the weights and measures, came up on its third reading and passed.

Bill to amend 6th section, 48th chapter of the Revised Code, entitled "Fences," came up on its third reading and passed.

Resolution allowing compensation to Judges holding courts of Oyer and Terminer, came up on their third reading and passed.

Bill to amend an act to regulate Salaries and Fees, came up on its third reading, was discussed at some length, and the question recurring on its passage, on motion of Mr Cowles, the ayes and nays were called and the bill passed by a vote of 32 to 2.

On motion of Mr. Berry, the rules were suspended and the bill passed its third reading.

Bill to protect property sold under execution from sacrifice came up under its second reading, was amended, and the question recurring on the passage of the bill, on motion of Mr. Wilson the ayes and nays were called and the bill passed by a vote of 29 to 5.

A message was received from the House transmitting a memorial from the trustees of the University, with a proposition to print the same, and refer the matter to a joint select committee concurred in.

On motion of Mr. Wiggins the Senate adjourned.

HOUSE OF COMMONS.

THURSDAY,, January 24, 1867.

Mr. Ashworth presented a memorial from citizens of Randolph, praying a modification of the Stay law. Referred.

BILLS AND RESOLUTIONS.

By Mr. Dargan, bill to abolish imprisoment for debt.

By Mr. Patton, a bill to amend an act passed at the session of 18 0 and 61, entitled "an act to diminish costs on Equity sales for petition."

By Mr, McKay, a bill to incorporate the Flat Swamp, Locks' Creek and Evans' Creek Canal Company, of the county of Cumberland.

By Mr. Waugh, a resolution to appropriate one thousand dollars for the purpose of suitably marking and preserving the graves of soldiers from North Carolina, who were buried in Virginia.

By Mr. Gorham, a resolution that the Judiciary committee enquire as to the expediency of empowering Guardians, Executors, &c., to compromise debts. Adopted.

By Mr. Rosebro, a bill for the relief of Executors and Administrators.

ON CALENDAR.

A bill to amend chapter 40 of the Acts of 1866, concerning negroes, and persons of color, or mixed blood; a bill to amend Acts heretofore passed for the relief of Landlords; a resolution in favor of certain maimed soldiers and a bill in favor of widows—allowing them further time to enter their dissent from husband's will—passed their several readings.

The following bills were rejected on second reading, viz: a bill allowing fees to County Court Clerks in certain cases; a bill to diminish costs in certain cases; a bill for the relief of the people and to prevent fraud in the collection of debts; and a bill to facilitate the adjudication and settlement of disputed boundaries.

The House then adjourned.

The old Puritan was not simply content to believe himself right. He sought to force others to recognize the fact. Nor was this sufficient. He was not scrupulous about the means resorted to to compel co-operation with him. Hence intolerance and dictation were of the very essence of his nature. Indeed, it is a noble nature only that is content with the consciousness of being right, and that so respects the manhood of another as to be unwilling to invade it by forcing the adoption of its own convictions. It is far more natural to say, "I am right, and, so far as I can, shall compel you to agree with me." But the great Ruler of the Universe leaves man the power of choice, even of seeking the wrong.—That is a stretch of magnimity of which certain types of the New England mind are incapable. Mr. Boutwell, of Massachusetts, is a shining example. He stoops to a petty malignity and a narrow intolerance that belong to the days of the Long Parliament, and his recent legislative career evinces a proscriptive, bitter, unmanly bigotry, deplorable even in a private citizen, but disgraceful to one who aspires to be a leader of "the great party of freedom." His proposition to prevent citizens engaged in the late rebellion from practising in the United States courts is but one of a brood of similar measures. It is bad enough to have a man of such a spirit as a citizen amidst a nation of freedmen, but to have him in a position to shape national legislation is to make the records of the nation a dishonor. In his brief speech in support of the bill he talked about "the respectability and dignity of the nation" being affronted by the action of the Supreme Court, which, if unwilling to protect itself from the contamination and presence of traitors, should be protected by act of Congress. From this we infer that Mr. Boutwell is a lineal descendant of the Pharisee who thanked God that he was not as are other men. For the nation it is fortunate that other men are not as he is.

National Intelligencer.

The New York Southern Relief Association.

So many and such well authenticated accounts have reached the North of the terrible destitution now prevailing throughout a wide belt of the lately rebellious States, that a vigorous movement has been set on foot by a number of ladies of this city to organize a system for its prompt and effective relief.

No political color whatever is to be given to this movement. It will have but one object—the saving of them that are ready to perish—and will be administered in but one spirit—the spirit of that charity which blesses both them who receive and them who give.

The ladies are encouraged to their good work by Mayor Hoffman, by the Catholic Archbishop of New York, by Bishop Potter and Dr. Tyng, and by a number of other eminent laymen and clergymen.—They have taken a central office at No. 14 Bond street, where supplies of dry goods, clothing, &c., may be daily sent from 9 A. M. to 6 P. M. Messrs. Harriss, Gaines & Co., No. 15 Whitehall street, will receive for them any more weighty contributions, and Commodore Garrison has generously offered to furnish a steamer for conveying to the South the help which it must surely be impossible that New York will be slow or niggard in extending to hundreds of thousands of women and children dying within our own borders for lack of the absolute necessaries of life.

New York World.

The Labor Question.

The experiences of the present system of labor for the past year has been various and conflicting, and it is with difficulty that any correct judgment can be framed, upon which to base any calculations for the coming year. Experiments of every conceivable description have been adopted by our farmers during the past twelve months, the result of which has been, simply to leave the vexed and all important question in as much doubt and uncertainty as ever, but it is only by the means of such continued experiments and the knowledge obtained by them, that we can hope to solve the vexatious problem.

One of the chief difficulties surrounding the questions, arises from the thousand and one notions entertained by the freedmen themselves, relative to the manner in which they wish to work, whether for part of the crop, by the week, month or year, all of which plans have their peculiar advantages and disadvantages.

All must concede that the days of immense farms at the South have passed away, and that success is most apt to attend those, taking a limited number of negroes, confine themselves to small and well manured farms.

As a slave the negro required the utmost watchfulness and care, and as a freedman the necessity for that same watchfulness and care is increased a hundred fold, and it is only by constant and personal supervision that the smallest amount of work can be gotten out of them.

This being the case, it would seem to be clearly the best policy to employ the smallest possible number of laborers for regular wages, over whom should be exercised the strictest vigilance, without which but small returns can be expected.—at the same time a kind and just treatment should be used as an inducement to keep the same laborers in employment year after year, which it is clearly the interest of every one to do. Find good hands, and attach them to the homestead by comfortable houses, kind treatment and fair dealing.

The man who steadily pursues this course, may always be sure to be able to command whatever labor he wishes and on reasonable terms.

Tarboro Southerner.

The Sugar Plantations of Louisiana.

Sugar plantations are in market now at unusually cheap rates. One situated about fifty-eight miles above New Orleans, containing thirteen hundred and fifty-nine arpents, with fine, commodious dwelling house, built of brick, and improvements, an extensive brick sugar house with machinery complete, cabins for eighty laborers, was lately sold for $32,800. Terms, one-fourth cash; balance one, two and three years. This estate made in 1866, an average season, two hundred and fifty hogsheads of sugar. Before the war, this plantation, with the negroes attached, was valued at $150,000. It is not an extreme case. A New Orleans paper says that it will require about twenty-five millions of dollars in the way of loans to replace the losses sustained by the sugar planting interest of Louisiana, and to place the several hundred plantations in good working condition.—Even then the scarcity of labor will present serious discouragements.

The Impeachment Plan.

When the suggestion was first made that the President of the United States should be impeached, the idea was scouted and derided as the dream of our overheated partisans. It was thought that none but rash political adventurers, desiring to make themselves famous on very small capital, would be found to advocate the measure.—The course of events has shown that it was no idle wish which fathered the suggestion, but it was part of a settled policy from the beginning. It requires time to educate the public mind up to the acceptance of acts of revolutionary violence. The same processes have to be gone through, of abhorrence, endurance, tenderness, and final acceptance, as when starting wrong offers its temptations to the individual man, and therefore the real movers of political machinery keep themselves and their motives concealed for a time, until they find the public prepared for their adoption. In a revolutionary period, such as that in which we have lived for several years, it requires but a little while to accustom men to the most extravagant propositions. Eight weeks ago Gen. Butler had apparently the sole glory of the impeachment scheme, and it was deridingly said that as he would not be clothed with the functions of a Representative until the next Congress, the discussion might be adjourned, yet preparation has been diligently conducted from that time forth, until the proposal has been made by two members on the floor of Congress in solemn form, and by a vote of more than two-thirds the Judiciary committee of the House of Representatives has been charged to inquire and report upon the subject. Mr. Stevens has declared that the plans of the Republican party were foiled, the Constitutional amendment a failure, and the policy of the Congressional majority overthrown unless Mr. Johnson were impeached and deposed from office.

But an important preliminary had to be accomplished before the matter could be avowed as a settled purpose. That preliminary has now been arranged. Congress has passed a law fixing the time for the meeting of the next Congress on the 4th of March next. Practically, this amounted to a decree for the perpetuation of the power of the majority without a moment's interruption until the 4th of March 1869, and placed them beyond the responsibility or chance of disturbance from the people. With the same overwhelming two-thirds vote in both branches, and a perpetual session, all the powers of the government are now absorbed by the legislature. The checks and balances provided by the constitution in the Executive veto, and in the distribution of powers between the Senate and House, have all been practically annihilated by the concentration of power in a single body, the caucus of the radical party, ruled and governed by a member from the State of Pennsylvania. What impediment remains in the way of an impeachment? None whatever.

Is it important to inquire of what high crimes and misdemeanors the President could be convicted? The answer is, that the same power which can put in motion the impeachment will control its decision. There are no prescribed forms or definitions of crime to limit the articles of accusation, nor any rules of law by which to restrain and control the body having power to pass sentence. The court which is to try is composed, in part, of the same men who are to determine upon the prosecution—the blinded majority which is swayed through the unseen caucus. Under such circumstances arraignment is equivalent to conviction and sentence.

Some few weeks only remain of the present session. Within that period the necessary formalities could not be perfected, so that the trial should wear that show of conformity to the law which would be expected by the American people. The mind of the public, hardly yet fully awakened to the purpose of impeachment, could not very well bear the shock of a precipitate trial; nor is it essential to the objects in view that it should take place immediately. There are lingering doubts whether an impeachment, initiated at one Congress, would not fail unless the trial were completed before its adjournment. For these reasons it is expedient that the full development should not take place until after the 4th of March. Then, with the same assumed majority in both branches, with the color of popular support derived from the fact that the members of a new Congress come with the sanction of a recent election to their work, all will be ripe for the coming act of revolutionary violence. To use the language of a paper of extensive circulation, now openly advocating the impeachment, "The essential demands of this great revolution will be met, the government in all its parts respond to the voice of the people as represented in Congress, the States be reconstructed and reinstated upon the pending constitutional amendment, and a new epoch dawn upon the country with the removal of President Johnson."

Such appears to be the position in which this momentous question stands at present. Our institutions have so far borne every strain to which they have been subjected. We may possibly be saved the terrible ordeal of one branch of the government overthrowing another, and using the forms of law to subvert all law and to trample upon all the just limitations of authority. But we will only be spared that ordeal by the people becoming awake in time to the dangers which threaten, and uttering in language too plain for doubt their condemnation of schemes which will reduce this country to a condition worse than that of France during its fatal revolution, or more pitiable than the state of anarchy which blights the republic of Mexico.

Baltimore Sun.

The Coward Carrington and the Fort Phil Kearney Massacre.

From the Baltimore Gazette.

It would not be at all surprising if, among the multitude of superserviceable loyalists and patriots that were spawned upon almost every community during the late war, our readers should have forgotten a certain Brigadier General Carrington. He flourished in Ohio for some time, where he was distinguished for the gallantry with which he exhorted everybody to rush "to the front," whilst taking especial care to keep himself from bodily harm. He was equally notorious for the extraordinary eagerness he exhibited in denouncing and imprisoning "copperheads." For these eminent services Carrington was in due time transferred to Indiana, where he entered upon a wider sphere of action. His commission as Military Commander was not sufficient to satisfy his patriotic ambition. He had a soul above buttons and leathers and all those sort of things; so he supplemented his military duties by adding to them the more congenial offices of informer and spy. As an active public persecutor he soon won the confidence of Governor Morton, who had a fellow feeling for men of Carrington's stamp, and delighted in the possession of so useful and so unscrupulous a subordinate. They were admirably adapted to each other, and every one who remembers Byron's definition of "*arcades ambo*," will readily understand why they should have been so. Whatever Governor Morton planned Carrington stood ready to execute.

He had an especial aptitude for dirty work, and his particular talent in that line was not suffered to remain idle. He arrested men "on suspicion of being suspected." He caused the office of Mr. Voorhees to be broken open and his papers seized and searched. He nosed out tremendous conspiracies, organized court-martials, and, in short, did everything that such a man could do to prove the intensity of his loyalty, except one—he could not be prevailed upon to exchange his harmless "dress parades" in Indiana for the peril of active service at the South. During the entire progress of the war he never once smelt the smoke of battle. After the war was over his official patrons, desirous of bestowing some reward on so useful an instrument, and, perhaps, anxious to rid themselves of him, obtained for him the command of the frontier post of Fort Phil Kearney. Here, remote from civilization, and under cover of a strong stockade, defended by a garrison of regulars, Carrington may very reasonably have entertained a hope that he would outlive, in inglorious ease, the contempt of those whose willing tool he had been and the execrations of his numerous victims. Had he surmised that the Indians might prove hostile, it is very probable he would have thrown up his commission in disgust.

But as no trouble was at that time apprehended, he concluded to accept the command to which he had been appointed, and set out on his journey across the plains, taking with him his wife, Margaret, as his military counselor and adviser. For a time all was quiet enough, but at length there were rumors of Indian outrages. Emigrant trains were attacked and plundered; cattle were driven off, and quite a number of settlers were barbarously murdered and their women and children carried into captivity. Then came the crowning act of all. Nearly a hundred officers and privates of the regular service were massacred within a short distance of the stockade commanded by Carrington. While these bloody outrages were being perpetrated, says the Fort Kearney *Herald*, "Carrington kept himself safely enclosed within his newly made fort, and when asked by his subalterns and by travelers why he did not drive the Indians from the public road, consoled himself by impotently ejaculating "I am no coward—I am no coward; it is all my wife's fault—yes, Margaret is to blame for keeping me fastened up in this Indian prison."

It needed but such a shameless avowal of the most despicable poltroonery to make the record of this man Carrington complete. Acts almost as evil, tempers almost as vindictive, and instincts almost as low and degraded as those ascribed to him, may have made other men as notorious as he in their respective spheres. But whatever may have been the wrongs they inflicted upon others, many of them might claim to possess at least one redeeming trait—that of personal courage. In the case of Carrington even that questionable virtue is found wanting, and those whose suple and subservient tool he was, knowing their instrument as they must have known him, cannot now, by ordering his arrest, screen themselves from sharing in the responsibility which attaches to him for permitting the massacre of nearly a hundred officers and enlisted men, almost within sight of the fort of which they had given him the command.

The Constitution of the United States set to Music.

The following is from the Paris *Figaro* of December 21:

"All the papers have said that an American composer, well known at Boston—Mr. Greecler—was occupied in setting the Constitution of the United States to music. This adaption has just been given in public. The performance lasted *eight* hours. Our correspondent gives us the following curious particulars in regard to this strange music: The preamble to the Constitution is a grand and majestic relative well sustained by alto and contra-basso voices The 1st article is written for a tenor voice. Other articles are written, some for basso, some for soprano, some for berritone. At the end of each article the recitative of preamble is taken up again in chorus.

"Mr. Greecler has betrayed his opinions, and has outdone himself in the article relating to State rights. This is written in a minor key for base and tenor, and there is a struggle of voices and instruments which might make the author of Tauhausar jealous. The tenor, who appears to sustain the doctrine of State rights, is eventually overcome by the bass, whilst the small flutes which support the tenor wage fierce war with the trombones and bassoons, the auxiliaries of the bass. The violins, lost and frightened, do the accompaniment in tremulo and pizicati—Finally, the tenor and the flutes yield to the heavier instruments, and the return of peace is celebrated by the violins in slow appreggio. The constitutional amendments are treated as f